NEW HAMPSHIRE GENERAL COURT



JOURNAL of the HOUSE OF REPRESENTATIVES

Containing the 2016 Session January 6, 2016 through June 16, 2016

> SHAWN N. JASPER SPEAKER

PAUL C. SMITH CLERK

WALTER SWORD SERGEANT-AT-ARMS

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HOUSE JOURNAL NO. 1

Wednesday, January 6, 2016

This day, January 6, 2016, the first Wednesday following the first Tuesday in January, being the day designated by the Constitution (Art. 3rd, Part 2nd) for assembling of the second-year session of the 164th General Court of the State of New Hampshire, at the Capitol in the City of Concord, the Speaker convened the 2016 House of Representatives and called the session to order at 10:00 a.m.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty God, You have the power to renew and restore; You inspire hope and optimism as You bring us through the seasons to the start of this New Year. We pray in faith that You will give fresh wisdom and purpose to this gathering, that each member of this house would be keenly aware of the importance of the decisions made here, and how they affect the people we serve in New Hampshire and the wider world. And, as we consider those many people who are so precious to You, we pray for our colleagues and friends who are unable to be with us due to illness and restricted mobility, and for those members who are struggling in their daily lives. Please bless, heal and strengthen all who are in particular need. We remember especially today Laura Arsenault who passed unexpectedly from this world on Christmas night. We give thanks for Laura, for her years of dedicated service in this place, and for the ways she touched so many lives. We pray that You would give comfort to her family and friends, and that memories of Laura - and all those we love but see no longer - will continue to delight and inspire us throughout the cycles of seasons and years to come. Amen.

REMARKS BY THE SPEAKER

At this time I would like the House to join me in remembering Laura Arsenault. Laura was a 28-year member of the staff in the Office of Legislative Services and served the members of the General Court with dedication and integrity during that time. Laura always stood ready to assist her coworkers in the office and throughout the branch and had an infectious laugh and personality that will be missed by everyone who knew her. She leaves behind a family she loved and adored and she will be remembered fondly by all of us in the General Court. Please join me in a moment of silence for Laura Arsenault.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of Laura Arsenault, a 28-year staff member of the Office of Legislative Services.

Representative Ohm, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Catherine Martinez of Epsom.

COMMUNICATION

VIA EMAIL December 14, 2015

To Paul C. Smith, Clerk of the House I'm sorry to say due to health complications I must offer my resignation. David Wood

CALL OF THE ROLL

With 307 members having answered the call, the Speaker declared a quorum present.

LEAVES OF ABSENCE

Reps. DiSesa, Emerson, Kellogg, Knowles, Major, Manning, Priestley, Sanders and Stephen Schmidt, the day, illness.

Reps. Abramson, Barry, Beaudoin, Bennett, Fromuth, Higgins, O'Hearne, Packard, Timothy Smith, Southworth, True and Verschueren, the day, important business.

Rep. Jeudy, the day, death in the family.

INTRODUCTION OF GUESTS

Mackenzie Brisson, a homeschooler from Middleton and Zebulon Hildreth, a student at Hinsdale High School, Pages for the day.

Joel Weinrebe, guest of Rep. LeBreche. Nathan French, guest of Rep. Ratzki. Ed Parsons, guest of Reps. Ticehurst and Butler. Tony Lekas, Ann Leverette, Dax Seal, and Christopher Spangler, guests of Rep. Ammon. Mike Edgar, guest of Rep. Cushing. Tim and Cynthia McNeil, guests of Rep. Vose.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 1100 through 1109, 1111 through 1172, 1174 through 1184, 1186 through 1311, 1313 through 1333, 1335 through 1486, 1488 through 1608, 1610 through 1642 and 1644 through 1697, House Concurrent Resolutions numbered 10 through 12, House Joint Resolutions numbered 3 through 6, House Resolutions numbered 16 through 19 and House Constitutional Amendment Concurrent Resolutions numbered 13 through 25 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1100, relative to licensure of guides by the fish and game department. (Parent, Merr. 26; Fish and Game and Marine Resources)

HB 1101, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. (Eastman, Hills. 28; McConnell, Ches. 12; McLean, Hills. 15; Adams, Hills. 26; J. Belanger, Hills. 27; Flanagan, Hills. 26; Estevez, Hills. 37; Emerson, Ches. 11; C. Roberts, Hills. 4; Shepardson, Ches. 10; Avard, Dist 12; Sanborn, Dist 9; Ways and Means)

HB 1102, relative to travel on ways with 3 or more lanes. (Potucek, Rock. 6; Doucette, Rock. 8; Prudhomme-O'Brien, Rock. 6; Transportation)

HB 1103, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. (Cushing, Rock. 21; Legislative Administration)

HB 1104, relative to electric renewable energy classes. (Murotake, Hills. 32; Spillane, Rock. 2; Vose, Rock. 9; Potucek, Rock. 6; LeBrun, Hills. 32; Aldrich, Belk. 2; D. Thomas, Rock. 5; Avard, Dist 12; Science, Technology and Energy)

HB 1105, establishing a committee to study third party mortgage processors. (Hunt, Ches. 11; Commerce and Consumer Affairs)

HB 1106, relative to days on which fishing is permitted without a license. (Cushing, Rock. 21; Manley, Hills. 3; McNamara, Hills. 38; Fish and Game and Marine Resources)

HB 1107, changing the name of Sargent's Purchase to Marilla Ricker. (Cushing, Rock. 21; M. Hennessey, Graf. 12; Hatch, Coos 6; Feltes, Dist 15; Fuller Clark, Dist 21; Municipal and County Government)

HB 1108, relative to inquiries by employers into the criminal history of applicants for employment. (Heffron, Rock. 18; Takesian, Hills. 37; Ley, Ches. 9; Fuller Clark, Dist 21; Labor, Industrial and Rehabilitative Services)

HB 1109, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. (B. Tilton, Ches. 12; Judiciary)

HB 1110 - not introduced.

HB 1111, relative to securities advisory councils and committees. (Brewster, Merr. 21; Commerce and Consumer Affairs)

HB 1112, relative to subdivision of land. (Coffey, Hills. 25; Municipal and County Government)

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections. (Verschueren, Straf. 13; C. Chase, Ches. 8; Cilley, Straf. 4; J. Frazer, Merr. 13; Gardner, Straf. 15; Watters, Dist 4; Criminal Justice and Public Safety)

HB 1114, relative to the number of inspectors of election. (Gray, Straf. 8; Election Law)

HB 1115, relative to the laws governing the citizens of New Hampshire. (Edelblut, Hills. 38; Judiciary)

HB 1116, relative to net metering. (Edelblut, Hills. 38; O'Connor, Rock. 6; Danielson, Hills. 7; Backus, Hills. 19; Bradley, Dist 3; Little, Dist 8; Science, Technology and Energy)

HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income. (Edelblut, Hills. 38; Children and Family Law)

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. (Edelblut, Hills. 38; Children and Family Law) HB 1119-L, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. (Higgins, Graf. 12; Cloutier, Sull. 10; Crawford, Carr. 4; Sykes, Graf. 13; J. Belanger, Hills. 27; Gould, Hills. 7; Vann, Hills. 24;

Chirichiello, Rock. 6; Williams, Hills. 4; Lasky, Dist 13; Municipal and County Government)

HB 1120, relative to teacher qualifications at charter schools. (Rollo, Straf. 18; Myler, Merr. 10; Rogers, Merr. 28; Gorman, Hills. 31; Horrigan, Straf. 6; J. Frazer, Merr. 13; C. Chase, Ches. 8; Wall, Straf. 6; Education)

HB 1121, relative to the academic areas that comprise the statewide assessment. (Ladd, Graf. 4; Myler, Merr. 10; Cordelli, Carr. 4; Balcom, Hills. 21; Shaw, Hills. 16; Grenier, Sull. 7; Education) HB 1122, relative to limitations on supervisory positions in state employment. (D. McGuire, Merr. 21; Byron, Hills. 20; Kurk, Hills. 2; Barry, Hills. 21; LeBrun, Hills. 32; A. Christie, Rock. 37; Carson, Dist 14; Reagan, Dist 17; Executive Departments and Administration)

HB 1123, relative to a property tax exemption for certain stand-by generators. (C. McGuire, Merr. 29; D. McGuire, Merr. 21; Reagan, Dist 17; Municipal and County Government)

HB 1124, relative to the membership of the occupational therapy governing board and relative to equipment used in respiratory care practice. (C. McGuire, Merr. 29; Health, Human Services and Elderly Affairs)

HB 1125, requiring law enforcement officers to return stolen property. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Jones, Straf. 24; Judiciary)

HB 1126, limiting the authority of delegates to Article V conventions. (Itse, Rock. 10; Eastman, Hills. 28; Hoell, Merr. 23; Ingbretson, Graf. 15; Ulery, Hills. 37; Moore, Hills. 21; Reagan, Dist 17; Legislative Administration)

HB 1127, relative to qualifications of referees in the superior courts and circuit courts. (Itse, Rock. 10; Hoell, Merr. 23; Ingbretson, Graf. 15; Avard, Dist 12; Judiciary)

HB 1128, proclaiming the second week in September as Patriot Week. (Itse, Rock. 10; Hoell, Merr. 23; Ingbretson, Graf. 15; Executive Departments and Administration)

HB 1129, relative to approval of fees established by the register of deeds. (E. Hennessey, Graf. 1; Bailey, Graf. 14; Sterling, Ches. 14; Coffey, Hills. 25; Cordelli, Carr. 4; Cloutier, Sull. 10; Massimilla, Graf. 1; Municipal and County Government)

HB 1130, requiring school districts to permit placement of a memorial honoring those who have died during military service. (Bates, Rock. 7; Baldasaro, Rock. 5; State-Federal Relations and Veterans Affairs)

HB 1131, relative to vehicles formerly used as ambulances. (Proulx, Hills. 44; Transportation)

HB 1132, relative to carrying a rifle or shotgun in certain vehicles. (Proulx, Hills. 44; Transportation) **HB 1133**, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. (Zaricki, Hills. 6; Fisher, Belk. 9; Schleien, Hills. 37; Science, Technology and Energy)

HB 1134, relative to open access to broadband infrastructure. (Abramson, Rock. 20; McConnell, Ches. 12; Science, Technology and Energy)

HB 1135, relative to physical force in defense of a person. (Abramson, Rock. 20; McConnell, Ches. 12; Criminal Justice and Public Safety)

HB 1136, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. (Abramson, Rock. 20; Fish and Game and Marine Resources)

HB 1137, relative to the adoption of school administrative unit budgets.(Abramson, Rock. 20; Spillane, Rock. 2; V. Sullivan, Hills. 16; Education)

HB 1138, relative to access to investigational drugs, biological products, and devices. (Edelblut, Hills. 38; Health, Human Services and Elderly Affairs)

HB 1139, establishing a committee to examine state protections from financial fraud. (Williams, Hills. 4; Butler, Carr. 7; Commerce and Consumer Affairs)

HB 1140, relative to financial responsibility for gas transmission pipelines. (Estevez, Hills. 37; Flanagan, Hills. 26; J. Belanger, Hills. 27; Coffey, Hills. 25; Edelblut, Hills. 38; Abramson, Rock. 20; Shepardson, Ches. 10; Emerson, Ches. 11; L. Ober, Hills. 37; McConnell, Ches. 12; Avard, Dist 12; Sanborn, Dist 9; Science, Technology and Energy)

HB 1141, defining "agritourism." (Haefner, Hills. 37; Sad, Ches. 1; Environment and Agriculture) HB 1142, relative to employee compensation at certain hospitals. (Williams, Hills. 4; Executive Departments and Administration)

HB 1143, relative to showing a ballot. (Rideout, Coos 7; Richardson, Coos 4; Simmons, Hills. 17; Hoell, Merr. 23; G. Smith, Hills. 37; Spillane, Rock. 2; Lachance, Hills. 8; Jones, Straf. 24; Election Law)

HB 1144-L, relative to notice for sessions of correction of the check list. (Souza, Hills. 43; Weyler, Rock. 13; Comeau, Carr. 5; Spillane, Rock. 2; Election Law)

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. (Gile, Merr. 27; Boehm, Hills. 20; Balcom, Hills. 21; Gorman, Hills. 31; Heath, Hills. 14; V. Sullivan, Hills. 16; Education)

HB 1146, relative to certificates of site and facility. (McConnell, Ches. 12; Emerson, Ches. 11; Adams, Hills. 26; B. Tilton, Ches. 12; Avard, Dist 12; Science, Technology and Energy)

HB 1147, requiring a report on federal landholdings within the state and establishing a moratorium on federal land acquisitions. (McConnell, Ches. 12; Hannon, Straf. 25; Abramson, Rock. 20; C. Roberts, Hills. 4; Edelblut, Hills. 38; Resources, Recreation and Development)

HB 1148, relative to pipeline capacity contracts. (McConnell, Ches. 12; Coffey, Hills. 25; Emerson, Ches. 11; L. Ober, Hills. 37; Byron, Hills. 20; B. Tilton, Ches. 12; Avard, Dist 12; Science, Technology and Energy)

HB 1149, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. (Flanagan, Hills. 26; Coffey, Hills. 25; Emerson, Ches. 11; Byron, Hills. 20; B. Tilton, Ches. 12; Science, Technology and Energy)

HB 1150, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. (Marple, Merr. 24; L. Christiansen, Hills. 37; Commerce and Consumer Affairs)

HB 1151, relative to after market tinting on side windows. (Hill, Merr. 3; Seaworth, Merr. 20; Transportation)

HB 1152, relative to the definition of specialty beer. (Whitehouse, Straf. 2; L. Turcotte, Straf. 4; Baldasaro, Rock. 5; Schroadter, Rock. 17; Rideout, Coos 7; Fromuth, Hills. 7; Commerce and Consumer Affairs)

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders. (Welch, Rock. 13; Bartlett, Merr. 19; Pantelakos, Rock. 25; B. French, Merr. 6; Criminal Justice and Public Safety)

HB 1154-FN, authorizing and regulating the use of license plate scanning devices. (Peterson, Hills. 7; Transportation)

HB 1155, relative to providing choice of meters to customers of utilities. (Halstead, Hills. 23; Science, Technology and Energy)

HB 1156, relative to interference with traffic devices. (Higgins, Graf. 12; Baber, Straf. 14; Transportation) HB 1157, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scontsas, Hills. 30; Itse, Rock. 10; D. Thomas, Rock. 5; Transportation)

HB 1158, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scontsas, Hills. 30; Itse, Rock. 10; D. Thomas, Rock. 5; Carson, Dist 14; Transportation) HB 1159-FN, relative to sale of tobacco products. (Hunt, Ches. 11; Commerce and Consumer Affairs) HB 1160-FN, relative to licensing spas and salons to serve alcoholic beverages. (Hunt, Ches. 11; Commerce and Consumer Affairs)

HB 1161, relative to the traffic safety commission. (Crawford, Carr. 4; Parker, Carr. 6; Transportation) HB 1162, relative to eligibility for utility dealer registration. (Moffett, Merr. 9; Grenier, Sull. 7; Transportation)

HB 1163, relative to lobbying, campaign contributions, and political advertising. (Timothy Smith, Hills. 17; Irwin, Sull. 9; Bixby, Straf. 17; G. Johnsen, Ches. 7; Theberge, Coos 3; C. Chase, Ches. 8; Patten, Merr. 17; J. Frazer, Merr. 13; Bartlett, Merr. 19; Cohen, Hills. 30; Legislative Administration) HB 1164, relative to contributions by a city to the county or state. (Timothy Smith, Hills. 17; P. Long, Hills. 10; Herbert, Hills. 43; Municipal and County Government)

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws. (Rogers, Merr. 28; S. Schmidt, Carr. 6; MacKay, Merr. 14; Baldasaro, Rock. 5; P. Brown, Hills. 31; Woodburn, Dist 1; Carson, Dist 14; Children and Family Law)

HB 1166-FN, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. (Brewster, Merr. 21; Judiciary)

HB 1167-FN, repealing the administrative procedure act. (Brewster, Merr. 21; Executive Departments and Administration)

HB 1168, relative to decrees pro confesso in title dispute actions. (Brewster, Merr. 21; Judiciary) **HB 1169,** prohibiting bank fees for on-line accounts. (Brewster, Merr. 21; Commerce and Consumer Affairs)

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park. (Theberge, Coos 3; Massimilla, Graf. 1; Rappaport, Coos 1; Rideout, Coos 7; Y. Thomas, Coos 3; Froburg, Coos 3; Hatch, Coos 6; Richardson, Coos 4; Carson, Dist 14; Sanborn, Dist 9; Resources, Recreation and Development)

HB 1171, relative to appeals heard by the waste management council. (C. Christensen, Hills. 21; Ebel, Merr. 5; Birdsell, Dist 19; Environment and Agriculture)

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain. (C. Christensen, Hills. 21; Gottling, Sull. 2; Russell, Belk. 5; Eaton, Ches. 3; Carson, Dist 14; Stiles, Dist 24; Resources, Recreation and Development)

HB 1173 - not introduced.

HB 1174, relative to energy sources for new natural gas transmission compressor stations. (Williams, Hills. 4; Science, Technology and Energy)

HB 1175-FN, relative to post-judgment real estate liens. (Lachance, Hills. 8; Backus, Hills. 19; Potucek, Rock. 6; Gallagher, Belk. 4; Judiciary)

HB 1176, relative to nomination and qualification of fish and game commissioners. (Parent, Merr. 26; Fish and Game and Marine Resources)

HB 1177, relative to permission required for baiting for game on the property of another. (Parent, Merr. 26; Fish and Game and Marine Resources)

HB 1178, relative to the taking of black bear assisted by a licensed guide. (Parent, Merr. 26; Fish and Game and Marine Resources)

HB 1179-L, relative to the taxation of manufactured housing on the land of another. (Abbott, Ches. 1; Prudhomme-O'Brien, Rock. 6; Municipal and County Government)

HB 1180-L, relative to the authority of towns to issue bonds for the expansion of Internet service. (Leishman, Hills. 24; Ratzki, Merr. 1; Eaton, Ches. 3; Buco, Carr. 2; Ford, Graf. 3; L. Ober, Hills. 37; Umberger, Carr. 2; Murotake, Hills. 32; Municipal and County Government)

HB 1181, relative to designating an alternate cemetery trustee. (McConnell, Ches. 12; C. McGuire, Merr. 29; B. Tilton, Ches. 12; Abramson, Rock. 20; Municipal and County Government)

HB 1182-FN, relative to fees for sales of wine by manufacturers. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs)

HB 1183, relative to election result recounts. (McConnell, Ches. 12; C. McGuire, Merr. 29; Coffey, Hills. 25; C. Roberts, Hills. 4; Abramson, Rock. 20; Shepardson, Ches. 10; Flanagan, Hills. 26; Aldrich, Belk. 2; Election Law)

HB 1184-FN, relative to license fees for domestic wine manufacturers. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs)

HB 1185 – not introduced.

HB 1186, repealing the law prohibiting coasting of vehicles. (Schleien, Hills. 37; Flanagan, Hills. 26; K. Rice, Hills. 37; Spillane, Rock. 2; L. Ober, Hills. 37; Transportation)

HB 1187-FN-L, repealing licensure of showmen. (Schleien, Hills. 37; Fromuth, Hills. 7; Edwards, Hills. 11; Zaricki, Hills. 6; Osborne, Rock. 4; G. Smith, Hills. 37; Hull, Graf. 9; Executive Departments and Administration)

HB 1188, relative to the brew pub license. (Hunt, Ches. 11; D. Long, Merr. 4; Commerce and Consumer Affairs)

HB 1189-FN, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. (Cushing, Rock. 21; Gagnon, Sull. 5; Gile, Merr. 27; Grenier, Sull. 7; Heath, Hills. 14; Ladd, Graf. 4; Rogers, Merr. 28; Fuller Clark, Dist 21; Education)

HB 1190, relative to a grant of land to Dartmouth College. (Cushing, Rock. 21; Theberge, Coos 3; Hatch, Coos 6; Rappaport, Coos 1; M. Hennessey, Graf. 12; Rogers, Merr. 28; Cilley, Straf. 4; Ford, Graf. 3; Ladd, Graf. 4; Municipal and County Government)

HB 1191, establishing an exotic game license for hunting in a game preserve. (Cushing, Rock. 21; McNamara, Hills. 38; Grenier, Sull. 7; Oxenham, Sull. 1; Kidder, Merr. 5; Manley, Hills. 3; Irwin, Sull. 9; Fish and Game and Marine Resources)

HB 1192-FN, repealing the education tax credit. (Ford, Graf. 3; Rosenwald, Hills. 30; Porter, Hills. 1; Wallner, Merr. 10; Myler, Merr. 10; Berch, Ches. 1; Kelly, Dist 10; Soucy, Dist 18; Woodburn, Dist 1; Ways and Means)

HB 1193, relative to the wellness and primary prevention council. (B. French, Merr. 6; Fothergill, Coos 1; Wallner, Merr. 10; Fuller Clark, Dist 21; Watters, Dist 4; Carson, Dist 14; Health, Human Services and Elderly Affairs)

HB 1194, relative to medical benefits under motor vehicle insurance. (Buco, Carr. 2; Umberger, Carr. 2; F. McCarthy, Carr. 2; Chandler, Carr. 1; Commerce and Consumer Affairs)

HB 1195, relative to prepayment contracts for petroleum products. (Hunt, Ches. 11; Commerce and Consumer Affairs)

HB 1196, relative to the amount of a money judgment for unpaid rent. (Chirichiello, Rock. 6; Beaudoin, Straf. 9; Burt, Hills. 39; Potucek, Rock. 6; Spillane, Rock. 2; Jones, Straf. 24; Simmons, Hills. 17; Lachance, Hills. 8; K. Rice, Hills. 37; Judiciary)

HB 1197, relative to conservation number plate funds. (Abrami, Rock. 19; Umberger, Carr. 2; Ways and Means)

HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities. (Abrami, Rock. 19; Lovejoy, Rock. 36; Proulx, Hills. 44; Barry, Hills. 21; Chandler, Carr. 1; Carson, Dist 14; Lasky, Dist 13; Ways and Means)

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels. (Webb, Rock. 6; Abramson, Rock. 20; Ferrante, Rock. 6; Grenier, Sull. 7; Pantelakos, Rock. 25; Spillane, Rock. 2; Potucek, Rock. 6; Baldasaro, Rock. 5; Cheney, Straf. 17; Lachance, Hills. 8; D'Allesandro, Dist 20; Ways and Means)

HB 1200-L, relative to the use of recycled glass. (Weber, Ches. 1; Sad, Ches. 1; Public Works and Highways)

HB 1201, relative to withdrawal from a cooperative school district. (J. Belanger, Hills. 27; Reagan, Dist 17; Education)

HB 1202, relative to applications submitted to a planning board. (J. Belanger, Hills. 27; Municipal and County Government)

HB 1203, relative to voting on variances. (J. Belanger, Hills. 27; Spang, Straf. 6; Municipal and County Government)

HB 1204, relative to payment of rent pending the stay of an eviction proceeding. (Abrami, Rock. 19; Groen, Straf. 10; J. Ward, Rock. 19; Stiles, Dist 24; Judiciary)

HB 1205, including libraries that provide children's programming in the definition of drug-free school zone. (Gray, Straf. 8; Education)

HB 1206, relative to limited credits. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Burt, Hills. 39; Reagan, Dist 17; Commerce and Consumer Affairs) HB 1207-FN, exempting wine sample fees from the meals and rooms tax. (Potucek, Rock. 6; Hannon, Straf. 25; Abramson, Rock. 20; Biggie, Hills. 23; Jones, Straf. 24; Cordelli, Carr. 4; Burt, Hills. 39; Carson, Dist 14; Reagan, Dist 17; Commerce and Consumer Affairs)

HB 1208-FN, relative to administration of the tobacco tax. (R. Ober, Hills. 37; Lovejoy, Rock. 36; Almy, Graf. 13; D'Allesandro, Dist 20; Boutin, Dist 16; Ways and Means)

HB 1209, relative to consultations under the telemedicine law. (MacKay, Merr. 14; Fothergill, Coos 1; Snow, Hills. 42; Ford, Graf. 3; LeBrun, Hills. 32; Sherman, Rock. 24; Reagan, Dist 17; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1210, relative to prescriptions for controlled drugs by telemedicine. (MacKay, Merr. 14; Fothergill, Coos 1; Snow, Hills. 42; Ford, Graf. 3; LeBrun, Hills. 32; Sherman, Rock. 24; Reagan, Dist 17; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1211, relative to requirements for certain alcoholic beverage licenses. (Fromuth, Hills. 7; Schleien, Hills. 37; Commerce and Consumer Affairs)

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. (Bailey, Graf. 14; E. Hennessey, Graf. 1; Massimilla, Graf. 1; Rideout, Coos 7; Forrester, Dist 2; Public Works and Highways)

HB 1213-FN, repealing athletic trainer license requirements. (Fromuth, Hills. 7; Hull, Graf. 9; Executive Departments and Administration)

HB 1214, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. (Pantelakos, Rock. 25; Cushing, Rock. 21; Heath, Hills. 14; McBeath, Rock. 26; DiFranco, Rock. 27; Cali-Pitts, Rock. 30; G. Ward, Rock. 28; P. Gordon, Rock. 29; Stiles, Dist 24; Soucy, Dist 18; Fuller Clark, Dist 21; Municipal and County Government)

HB 1215-FN-A, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. (Brewster, Merr. 21; Finance)

HB 1216-FN, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. (Verschueren, Straf. 13; Baber, Straf. 14; J. Frazer, Merr. 13; Bixby, Straf. 17; C. Chase, Ches. 8; Watters, Dist 4; Judiciary)

HB 1217, relative to the duties of and meeting requirements for the judicial council. (Brewster, Merr. 21; Judiciary)

HB 1218, relative to levy of executions on shares in any corporation. (Brewster, Merr. 21; Judiciary) HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. (Coffey, Hills. 25; Baldasaro, Rock. 5; Municipal and County Government)

HB 1220, relative to disqualification of election officers. (Gray, Straf. 8; Election Law)

HB 1221, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. (Fromuth, Hills. 7; Ammon, Hills. 40; Peterson, Hills. 7; Sanborn, Hills. 41; Murphy, Hills. 7; Gould, Hills. 7; Bickford, Straf. 3; Weyler, Rock. 13; DeLemus, Straf. 11; McKinney, Rock. 5; Sanborn, Dist 9; Municipal and County Government)

HB 1222, relative to procedures for appraisals by assessing officials. (Fromuth, Hills. 7; Spillane, Rock. 2; Municipal and County Government)

HB 1223, relative to changes of address on election day. (Gray, Straf. 8; Election Law)

HB 1224, establishing RV month in New Hampshire. (Weyler, Rock. 13; Burt, Hills. 39; Executive Departments and Administration)

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation. (Edelblut, Hills. 38; Baldasaro, Rock. 5; Pitre, Straf. 2; Education)

HB 1226, relative to administration of pharmaceutical agents by optometrists. (Hoell, Merr. 23; Itse, Rock. 10; Parker, Carr. 6; Cilley, Straf. 4; Soucy, Dist 18; Carson, Dist 14; Reagan, Dist 17; Executive Departments and Administration)

HB 1227, repealing provisions of law regulating Sunday business activities. (Schleien, Hills. 37; Horrigan, Straf. 6; Osborne, Rock. 4; K. Rice, Hills. 37; Zaricki, Hills. 6; Spillane, Rock. 2; Commerce and Consumer Affairs)

HB 1228-FN-A, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. (Brewster, Merr. 21; Finance)

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. (Boehm, Hills. 20; V. Sullivan, Hills. 16; Cordelli, Carr. 4; Education)

HB 1230, relative to information on dog licenses. (Sad, Ches. 1; Municipal and County Government) HB 1231, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills. 16; Boehm, Hills. 20; Lachance, Hills. 8; Shaw, Hills. 16; D. Brown, Graf. 16; Hogan, Hills. 34; Avard, Dist 12; Education)

HB 1232, relative to visits to schools by non-academic government or private organizations. (V. Sullivan, Hills. 16; Boehm, Hills. 20; Moore, Hills. 21; Cordelli, Carr. 4; Lachance, Hills. 8; Hogan, Hills. 34; Education)

HB 1233, relative to the right of attendance by general court members at legislative proceedings. (Ulery, Hills. 37; Seidel, Hills. 28; Legislative Administration)

HB 1234, relative to the seal of the general court. (Ulery, Hills. 37; Seidel, Hills. 28; Legislative Administration)

HB 1235, relative to stalking. (Luther, Belk. 3; Ingbretson, Graf. 15; Criminal Justice and Public Safety) **HB 1236**, relative to hearings on modifications of parental rights and responsibilities. (Luther, Belk. 3; Ingbretson, Graf. 15; Children and Family Law)

HB 1237, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children. (Luther, Belk. 3; Ingbretson, Graf. 15; Children and Family Law)

HB 1238, relative to income for purposes of child support. (Luther, Belk. 3; Ingbretson, Graf. 15; Children and Family Law)

- HB 1239, relative to certain terminology in the education statutes. (Ladd, Graf. 4; Myler, Merr. 10; Balcom, Hills. 21; Gorman, Hills. 31; Gile, Merr. 27; Grenier, Sull. 7; Cordelli, Carr. 4; Education) HB 1240, relative to alternatives to the statewide assessment. (Ladd, Graf. 4; Grenier, Sull. 7; Myler, Merr. 10; Balcom, Hills. 21; Gile, Merr. 27; Shaw, Hills. 16; Wolf, Hills. 7; Education)
- HB 1241, establishing the alternative motto "scenic" for motor vehicle plates. (Suzanne Smith, Graf. 8; Parkhurst, Ches. 13; Ford, Graf. 3; Cooney, Graf. 8; C. Chase, Ches. 8; Transportation)
- HB 1242, relative to rules of the department of transportation on driveway permits. (D. McGuire, Merr. 21; Sytek, Rock. 8; Hansen, Hills. 22; Public Works and Highways)
- HB 1243-FN-L, relative to storm water or sewage penalties. (C. McGuire, Merr. 29; Reagan, Dist 17; Municipal and County Government)
- HB 1244-L, relative to municipal cemeteries. (C. McGuire, Merr. 29; McConnell, Ches. 12; Seaworth, Merr. 20; Reagan, Dist 17; Municipal and County Government)
- HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. (C. McGuire, Merr. 29; Reagan, Dist 17; Executive Departments and Administration)
- HB 1246-FN, relative to speech-language assistants. (C. McGuire, Merr. 29; Kotowski, Merr. 24; Moffett, Merr. 9; Saunderson, Merr. 9; Reagan, Dist 17; Executive Departments and Administration)
- HB 1247, relative to permitted gambling by private individuals. (Itse, Rock. 10; Hoell, Merr. 23; Seaworth, Merr. 20; Souza, Hills. 43; Ingbretson, Graf. 15; Osborne, Rock. 4; Ways and Means)
- HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings. (Itse, Rock. 10; Edelblut, Hills. 38; Ingbretson, Graf. 15; Souza, Hills. 43; Boehm, Hills. 20; Seidel, Hills. 28; Children and Family Law)
- HB 1249, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. (Itse, Rock. 10; Ingbretson, Graf. 15; K. Rice, Hills. 37; Edelblut, Hills. 38; Oligny, Rock. 34; Lachance, Hills. 8; Seidel, Hills. 28; Hull, Graf. 9; Avard, Dist 12; Judiciary)
- HB 1250, relative to medical neglect of children. (K. Rice, Hills. 37; Rouillard, Hills. 6; DeSimone, Rock. 14; Ulery, Hills. 37; Itse, Rock. 10; Estevez, Hills. 37; Avard, Dist 12; Children and Family Law) HB 1251-FN-A, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. (Brewster, Merr. 21; Public Works and Highways)
- HB 1252, permitting employers to pay wages to employees weekly or biweekly. (Sanborn, Hills. 41; Schroadter, Rock. 17; E. Hennessey, Graf. 1; Vose, Rock. 9; McConnell, Ches. 12; Murphy, Hills. 7; Spanos, Belk. 3; D. McGuire, Merr. 21; J. Belanger, Hills. 27; Schleien, Hills. 37; Birdsell, Dist 19; Daniels, Dist 11; Labor, Industrial and Rehabilitative Services)
- HB 1253-L, relative to the removal of land use board members and municipal officers. (Cordelli, Carr. 4; Wright, Carr. 8; Coffey, Hills. 25; F. McCarthy, Carr. 2; Municipal and County Government) HB 1254-FN-L, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. (McConnell, Ches. 12; Flanagan, Hills. 26; Rideout, Coos 7; Rappaport, Coos 1; Cordelli, Carr. 4; Avellani, Carr. 5; F. McCarthy, Carr. 2; Ways and Means) HB 1255, designating May 19 as a Day of Compassion. (DeSimone, Rock. 14; Gargasz, Hills. 27; Friel, Rock. 14; Ford, Graf. 3; K. Rice, Hills. 37; Boutin, Dist 16; D'Allesandro, Dist 20; Executive Departments and Administration)
- HB 1256, requiring the attorney general to prepare an inventory of all untested rape kits. (Cushing, Rock. 21; Harvey, Hills. 29; Eaton, Ches. 3; DiSesa, Straf. 16; Mangipudi, Hills. 35; Pantelakos, Rock. 25; Lovejoy, Rock. 36; Moody, Rock. 17; Lachance, Hills. 8; Hirsch, Merr. 6; Carson, Dist 14; Health, Human Services and Elderly Affairs)
- **HB 1257,** relative to revocation or suspension of a driver's license because of physical impairment. (Leeman, Straf. 23; Transportation)
- HB 1258-FN, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. (Baroody, Hills. 43; DiSilvestro, Hills. 9; Ways and Means)
- HB 1259, relative to liability for third party review of site plans. (Howard, Belk. 8; Cheney, Straf. 17; Beaudoin, Straf. 9; Municipal and County Government)
- HB 1260, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. (Abramson, Rock. 20; Spillane, Rock. 2; V. Sullivan, Hills. 16; Municipal and County Government)
- HB 1261, relative to multiple indictments in criminal prosecutions. (Abramson, Rock. 20; McConnell, Ches. 12; Criminal Justice and Public Safety)

HB 1262, relative to the application of zoning ordinances to home-based businesses. (Abramson, Rock. 20; Municipal and County Government)

HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation. (Abramson, Rock. 20; Municipal and County Government)

HB 1264, relative to carnival or amusement ride inspections. (Saunderson, Merr. 9; Moffett, Merr. 9; Commerce and Consumer Affairs)

HB 1265, permitting municipalities to adopt a system of approval voting. (Schleien, Hills. 37; Edelblut, Hills. 38; Ammon, Hills. 40; Election Law)

HB 1266, legalizing firecrackers and smoke bombs. (Weyler, Rock. 13; Itse, Rock. 10; Burt, Hills. 39; Hull, Graf. 9; Criminal Justice and Public Safety)

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses. (Chandler, Carr. 1; Goley, Hills. 8; Sanders, Rock. 12; Webb, Rock. 6; McKinney, Rock. 5; Bradley, Dist 3; D'Allesandro, Dist 20; Watters, Dist 4; Fish and Game and Marine Resources)

HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Chandler, Carr. 1; Webb, Rock. 6; Sanders, Rock. 12; Goley, Hills. 8; McKinney, Rock. 5; Bradley, Dist 3; D'Allesandro, Dist 20; Watters, Dist 4; Forrester, Dist 2; Fish and Game and Marine Resources)

HB 1269, extending the New Hampshire health care quality assurance commission. (Rosenwald, Hills. 30; Kotowski, Merr. 24; MacKay, Merr. 14; McMahon, Rock. 7; Sherman, Rock. 24; Emerson, Ches. 11; Kelly, Dist 10; Forrester, Dist 2; Health, Human Services and Elderly Affairs)

HB 1270, relative to a jury's determination as to the applicability of a law. (Itse, Rock. 10; Hoell, Merr. 23; Marple, Merr. 24; Luther, Belk. 3; Eastman, Hills. 28; Seidel, Hills. 28; Hull, Graf. 9; Reagan, Dist 17; Avard, Dist 12; Judiciary)

HB 1271, making certain length and width exemptions concerning commercial vehicles. (Gagne, Hills. 13; Chirichiello, Rock. 6; Packard, Rock. 5; Transportation)

HB 1272-FN, relative to bus transportation for chartered public school students. (Prudhomme-O'Brien, Rock. 6; Green, Rock. 13; Spillane, Rock. 2; Hogan, Hills. 34; Simmons, Hills. 17; Doucette, Rock. 8; Potucek, Rock. 6; Infantine, Hills. 13; L. Turcotte, Straf. 4; Education)

HB 1273, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. (Prudhomme-O'Brien, Rock. 6; Estevez, Hills. 37; Hogan, Hills. 34; Green, Rock. 13; Spillane, Rock. 2; Potucek, Rock. 6; Doucette, Rock. 8; Infantine, Hills. 13; Burt, Hills. 39; Carson, Dist 14; Health, Human Services and Elderly Affairs)

HB 1274, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. (Gile, Merr. 27; Ford, Graf. 3; Wallner, Merr. 10; Shurtleff, Merr. 11; Feltes, Dist 15; Education)

HB 1275, relative to net energy metering capacity. (Mann, Ches. 2; Science, Technology and Energy) **HB 1276**, relative to a taxpayer's application for a property tax abatement. (Brewster, Merr. 21; Judiciary)

HB 1277, establishing a homestead act. (Brewster, Merr. 21; Municipal and County Government) HB 1278, requiring payment of lawful money to employees. (Brewster, Merr. 21; Labor, Industrial and Rehabilitative Services)

HB 1279, relative to grounds for termination of parental rights. (Prudhomme-O'Brien, Rock. 6; Hogan, Hills. 34; Green, Rock. 13; Spillane, Rock. 2; Potucek, Rock. 6; Doucette, Rock. 8; Burt, Hills. 39; Infantine, Hills. 13; Wuelper, Straf. 3; Seidel, Hills. 28; Cataldo, Dist 6; Children and Family Law) **HB 1280**, relative to grounds for modification of parental rights and responsibilities. (Gargasz, Hills.

27; Froburg, Coos 3; DeSimone, Rock. 14; Carson, Dist 14; Children and Family Law)

HB 1281, relative to divorce petitions and procedures. (Gargasz, Hills. 27; Froburg, Coos 3; DeSimone, Rock. 14; Judiciary)

HB 1282, relative to the state building code. (C. McGuire, Merr. 29; C. Roberts, Hills. 4; Executive Departments and Administration)

HB 1283, relative to school notification of a change in placement. (Flanagan, Hills. 26; Boutin, Dist 16; Education)

HB 1284, relative to highway agents. (D. McGuire, Merr. 21; C. McGuire, Merr. 29; J. Belanger, Hills. 27; Reagan, Dist 17; Municipal and County Government)

HB 1285, relative to the donation of food that has passed its expiration date. (D. McGuire, Merr. 21; Rouillard, Hills. 6; Health, Human Services and Elderly Affairs)

HB 1286, relative to days when fishing without a license is permitted. (Kidder, Merr. 5; Webb, Rock. 6; Manley, Hills. 3; Fish and Game and Marine Resources)

HB 1287, repealing a provision of the harassment statute. (Berch, Ches. 1; Sylvia, Belk. 6; Criminal Justice and Public Safety)

HB 1288, relative to the National Guard force protection policy. (Edelblut, Hills. 38; Baldasaro, Rock. 5; Tamburello, Rock. 5; Pitre, Straf. 2; Moore, Hills. 21; State-Federal Relations and Veterans Affairs) HB 1289, making technical corrections to certain tax laws. (Major, Rock. 14; Almy, Graf. 13; Friel, Rock. 14; Ways and Means)

HB 1290, relative to filing dates for business taxes. (Major, Rock. 14; Almy, Graf. 13; Friel, Rock. 14; Ways and Means)

HB 1291, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. (Eastman, Hills. 28; McConnell, Ches. 12; Edelblut, Hills. 38; Rideout, Coos 7; Hannon, Straf. 25; Avard, Dist 12; Resources, Recreation and Development)

HB 1292, relative to the use of abandoned agricultural property. (Haefner, Hills. 37; Sad, Ches. 1; Environment and Agriculture)

HB 1293, relative to the procedure for charter amendments. (Cheney, Straf. 17; Gray, Straf. 8; Souza, Hills. 43; B. Griffin, Hills. 6; Ammon, Hills. 40; L. Ober, Hills. 37; V. Fraser, Belk. 1; Municipal and County Government)

HB 1294, relative to exemptions from licensure as a massage therapist. (Wuelper, Straf. 3; McNamara, Hills. 38; Executive Departments and Administration)

HB 1295-FN, eliminating the bureau of certificate of title. (Marple, Merr. 24; L. Christiansen, Hills. 37; McClarren, Hills. 29; Transportation)

HB 1296, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. (Marple, Merr. 24; L. Christiansen, Hills. 37; McClarren, Hills. 29; Municipal and County Government)

HB 1297, relative to harm to unalienable rights of inhabitants. (Marple, Merr. 24; Ingbretson, Graf. 15; McClarren, Hills. 29; Comeau, Carr. 5; L. Christiansen, Hills. 37; Criminal Justice and Public Safety) HB 1298, relative to damage to private property. (Chandler, Carr. 1; Sanders, Rock. 12; Theberge, Coos 3; Forrester, Dist 2; Bradley, Dist 3; Resources, Recreation and Development)

HB 1299, relative to the frequency of background checks for camp employees. (Manley, Hills. 3; McNamara, Hills. 38; Resources, Recreation and Development)

HB 1300, relative to the content of patriotic exercises in public schools. (Hill, Merr. 3; Jones, Straf. 24; Potucek, Rock. 6; McLean, Hills. 15; G. Smith, Hills. 37; J. Ward, Rock. 19; Lachance, Hills. 8; H. French, Merr. 2; Spillane, Rock. 2; LeBrun, Hills. 32; V. Sullivan, Hills. 16; Cordelli, Carr. 4; L. Turcotte, Straf. 4; Rideout, Coos 7; Education)

HB 1301, relative to the issuance of youth employment certificates. (Hill, Merr. 3; Jones, Straf. 24; Potucek, Rock. 6; McLean, Hills. 15; J. Ward, Rock. 19; L. Turcotte, Straf. 4; Lachance, Hills. 8; H. French, Merr. 2; Spillane, Rock. 2; Labor, Industrial and Rehabilitative Services)

HB 1302, relative to driver's license requirements for operation of a mixed use school bus. (Jones, Straf. 24; Transportation)

HB 1303, relative to withdrawal from a cooperative school district. (Weyler, Rock. 13; Devine, Rock. 4; True, Rock. 4; Avard, Dist 12; Birdsell, Dist 19; Education)

HB 1304, relative to town maintenance of a road designated as a highway to summer cottages. (Sterling, Ches. 14; Cheney, Straf. 17; Municipal and County Government)

HB 1305, relative to the use of an ignition interlock device after a license suspension. (Tholl, Coos 5; Criminal Justice and Public Safety)

HB 1306, allowing periodic payments of judgments to include assignment of wages. (Lachance, Hills. 8; Potucek, Rock. 6; Gallagher, Belk. 4; Judiciary)

HB 1307, relative to the procedure for amendment of condominium instruments. (Lachance, Hills. 8; Gallagher, Belk. 4; Potucek, Rock. 6; Avellani, Carr. 5; Commerce and Consumer Affairs)

HB 1308, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. (Lachance, Hills. 8; Jones, Straf. 24; Spillane, Rock. 2; Burt, Hills. 39; D. Thomas, Rock. 5; Moore, Hills. 21; Transportation)

HB 1309, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. (Lachance, Hills. 8; V. Sullivan, Hills. 16; Potucek, Rock. 6; Bouldin, Hills. 12; Edwards, Hills. 11; Cushing, Rock. 21; Baldasaro, Rock. 5; Aldrich, Belk. 2; Rideout, Coos 7; Avard, Dist 12; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

HB 1310, establishing a commission to study health care for all residents of New Hampshire. (Leishman, Hills. 24; McNamara, Hills. 38; M. Smith, Straf. 6; Health, Human Services and Elderly Affairs)

HB 1311, relative to solitary confinement. (Myler, Merr. 10; Bartlett, Merr. 19; Spang, Straf. 6; B. French, Merr. 6; Luneau, Merr. 10; Heath, Hills. 14; Verschueren, Straf. 13; Feltes, Dist 15; Criminal Justice and Public Safety)

HB 1312 - not introduced.

HB 1313-FN, relative to eligibility to vote and relative to availability of voter information. (Gannon, Rock. 4; Luther, Belk. 3; Schroadter, Rock. 17; D. Brown, Graf. 16; Election Law)

HB 1314, limiting the authority of state entities to regulate the sale, use, and possession of fire-arms. (Comeau, Carr. 5; Burt, Hills. 39; Hannon, Straf. 25; Aldrich, Belk. 2; Ammon, Hills. 40; Tamburello, Rock. 5; Goulette, Hills. 23; Baldasaro, Rock. 5; Criminal Justice and Public Safety)

HB 1315, adding mixed-use development to the definition of business and industrial facility. (Cheney, Straf. 17; Potucek, Rock. 6; V. Fraser, Belk. 1; Jones, Straf. 24; Knowles, Straf. 12; Emerick, Rock. 21; Lachance, Hills. 8; C. McGuire, Merr. 29; J. Ward, Rock. 19; Rouillard, Hills. 6; Stiles, Dist 24; Milliand County Government)

HB 1316, relative to hospital rates for self-pay patients. (Hunt, Ches. 11; Commerce and Consumer Affairs)

HB 1317, renaming the North Hampton state beach as the Robert Shaw Memorial state beach. (Peckham, Rock. 22; Bush, Rock. 31; Public Works and Highways)

HB 1318, relative to sex offender registration. (Crawford, Carr. 4; Parker, Carr. 6; Webb, Rock. 6; Criminal Justice and Public Safety)

HB 1319, relative to seating assignments of members of the house of representatives. (Patten, Merr. 17; Abramson, Rock. 20; Baldasaro, Rock. 5; Legislative Administration)

HB 1320, relative to assignment or transfer of an operating permit issued by the department of environmental services. (Cloutier, Sull. 10; Converse, Sull. 4; Richardson, Coos 4; Science, Technology and Energy)

HB 1321, relative to transportation of alcoholic beverages by a minor. (Hill, Merr. 3; Spillane, Rock. 2; Seaworth, Merr. 20; Criminal Justice and Public Safety)

HB 1322, relative to reports to the public employee labor relations board. (Hill, Merr. 3; C. McGuire, Merr. 29; J. Ward, Rock. 19; Rideout, Coos 7; Potucek, Rock. 6; Martin, Merr. 23; Spillane, Rock. 2; LeBrun, Hills. 32; Simmons, Hills. 17; Labor, Industrial and Rehabilitative Services)

HB 1323, relative to nonrenewal of a teacher's contract. (Timothy Smith, Hills. 17; Education)

HB 1324, relative to membership of the oversight committee on health and human services. (Brewster, Merr. 21; Health, Human Services and Elderly Affairs)

HB 1325, relative to the election of chairs of house standing policy committees. (Brewster, Merr. 21; Legislative Administration)

HB 1326, prohibiting the general court from filing legislation in the second year of the session. (Brewster, Merr. 21; Legislative Administration)

HB 1327, relative to the statute of limitations for continuing violations of trespass. (Brewster, Merr. 21; Criminal Justice and Public Safety)

HB 1328, limiting pregnancy terminations to pregnancies of 20 weeks or less. (Hagan, Rock. 4; Notter, Hills. 21; Seidel, Hills. 28; Judiciary)

HB 1329, relative to prohibited sales of alcoholic beverages. (Zaricki, Hills. 6; Fisher, Belk. 9; Commerce and Consumer Affairs)

HB 1330, appointing a former prisoner to the interbranch criminal and juvenile justice council. (Theberge, Coos 3; Spang, Straf. 6; Bartlett, Merr. 19; Horrigan, Straf. 6; Massimilla, Graf. 1; Verschueren, Straf. 13; C. Christensen, Hills. 21; Edwards, Hills. 11; Criminal Justice and Public Safety) HB 1331, relative to the membership of the compensation appeals board. (Goley, Hills. 8; Labor, Industrial and Rehabilitative Services)

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee. (Spang, Straf. 6; Suzanne Smith, Graf. 8; Gottling, Sull. 2; Oxenham, Sull. 1; Resources, Recreation and Development)

HB 1333, requiring that courts provide jurors with information regarding the authority of the position of juror. (Hoell, Merr. 23; Itse, Rock. 10; Goulette, Hills. 23; Rideout, Coos 7; Spillane, Rock. 2; Aldrich, Belk. 2; Ingbretson, Graf. 15; Abramson, Rock. 20; Hull, Graf. 9; Judiciary)

HB 1334 - not introduced.

HB 1335-FN, relative to state testing of law enforcement officers for steroid use. (Abramson, Rock. 20; Hoell, Merr. 23; Criminal Justice and Public Safety)

HB 1336-FN-L, relative to interest on abatements of taxes. (Fromuth, Hills. 7; Schleien, Hills. 37; Biggie, Hills. 23; Herbert, Hills. 43; Municipal and County Government)

HB 1337, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. (Fisher, Belk. 9; Schleien, Hills. 37; Science, Technology and Energy)

HB 1338, relative to student exemption from the statewide assessment. (Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Education)

HB 1339, relative to the corporate governance annual disclosure act. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1340, relative to producer licensing. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Commerce and Consumer Affairs)

HB 1341, relative to employee payments to unions. (Martin, Merr. 23; Labor, Industrial and Rehabilitative Services)

HB 1342, prohibiting the use of certain information to underwrite insurance. (Hatch, Coos 6; Gottling, Sull. 2; Ladd, Graf. 4; Sad, Ches. 1; Eaton, Ches. 3; Commerce and Consumer Affairs)

HB 1343, prohibiting the retroactive application of the sex offender registry. (C. Chase, Ches. 8; Bartlett, Merr. 19; Robertson, Ches. 6; Criminal Justice and Public Safety)

HB 1344, prohibiting the sale or possession of sky lanterns. (Richardson, Coos 4; Goley, Hills. 8; White, Graf. 13; Soucy, Hills. 34; Tholl, Coos 5; Criminal Justice and Public Safety)

HB 1345, repealing the age limit for sheriffs. (Richardson, Coos 4; Cilley, Straf. 4; Tholl, Coos 5; Rideout, Coos 7; Y. Thomas, Coos 3; Theberge, Coos 3; Hatch, Coos 6; Fothergill, Coos 1; Froburg, Coos 3; Woodburn, Dist 1; Municipal and County Government)

HB 1346, relative to minimum wage for tipped employees. (Cilley, Straf. 4; C. Chase, Ches. 8; Ratzki, Merr. 1; Berrien, Rock. 18; Cahill, Rock. 17; R. Walsh, Hills. 11; Abramson, Rock. 20; Pierce, Dist 5; Watters, Dist 4; Labor, Industrial and Rehabilitative Services)

HB 1347, establishing a committee to study sharing the road with bicycles and motorcycles. (Luneau, Merr. 10; Myler, Merr. 10; Feltes, Dist 15; Transportation)

HB 1348, repealing the exemption for certain transactions under the consumer protection act. (Luneau, Merr. 10; Myler, Merr. 10; Weyler, Rock. 13; Butler, Carr. 7; V. Fraser, Belk. 1; Feltes, Dist 15; Commerce and Consumer Affairs)

HB 1349, relative to the location of the Merrimack county superior court. (Schuett, Merr. 20; D. McGuire, Merr. 21; Shurtleff, Merr. 11; MacKay, Merr. 14; Myler, Merr. 10; Alicea, Merr. 8; Doherty, Merr. 20; Luneau, Merr. 10; Karrick, Merr. 25; Carson, Merr. 7; Saunderson, Merr. 9; Public Works and Highways)

HB 1350, relative to allodial rights and violations of the oath of office. (Marple, Merr. 24; Comeau, Carr. 5; Itse, Rock. 10; McClarren, Hills. 29; Judiciary)

HB 1351, relative to the laws governing chartered public schools. (Horrigan, Straf. 6; Rollo, Straf. 18; Burton, Straf. 6; Education)

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. (Byron, Hills. 20; D. McGuire, Merr. 21; Hansberry, Hills. 35; Special Committee on Public Employee Pension Plans)

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Byron, Hills. 20; Criminal Justice and Public Safety)

HB 1354, establishing a committee to study livestock and meat inspection. (Bixby, Straf. 17; Sad, Ches. 1; Environment and Agriculture)

HB 1355, relative to poultry producers exempted from meat inspection requirements. (Bixby, Straf. 17; Sad, Ches. 1; Environment and Agriculture)

HB 1356, relative to construction of the terms "resident" and "inhabitant." (Bates, Rock. 7; Flanagan, Hills. 26; Hinch, Hills. 21; Hoelzel, Rock. 3; Packard, Rock. 5; Hunt, Ches. 11; Chandler, Carr. 1; Kurk, Hills. 2; Hogan, Hills. 34; D. Thomas, Rock. 5; Election Law)

HB 1357, relative to the duties of the department of cultural resources. (Danielson, Hills. 7; Shurtleff, Merr. 11; Gidge, Hills. 33; Executive Departments and Administration)

HB 1358, regulating engine idling of certain vehicles. (Danielson, Hills. 7; Shepardson, Ches. 10; Transportation)

HB 1359, relative to the tax credit for service-connected disability. (Estevez, Hills. 37; Manning, Rock. 8; Doucette, Rock. 8; Marston, Hills. 19; Municipal and County Government)

HB 1360-FN, establishing a credit against business profits taxes for media production expenditures in New Hampshire. (Eastman, Hills. 28; Gidge, Hills. 33; Gannon, Rock. 4; Baldasaro, Rock. 5; Murotake, Hills. 32; Hogan, Hills. 34; Biggie, Hills. 23; Danielson, Hills. 7; F. Rice, Rock. 21; Ways and Means) HB 1361, relative to service of process by attorneys and justices of the peace. (Hull, Graf. 9; Judiciary) HB 1362, requiring telephone notice where an electrical outage is expected to exceed 4 hours. (Hull, Graf. 9; Science, Technology and Energy)

HB 1363, relative to filling of vacancies in town offices. (Hull, Graf. 9; Municipal and County Government)

HB 1364, relative to the membership of the cooperative school district budget committee. (Hull, Graf. 9; Darrow, Graf. 17; Education)

HB 1365, requiring public schools to observe New Hampshire constitution day. (Prudhomme-O'Brien, Rock. 6; K. Rice, Hills. 37; Abramson, Rock. 20; R. Tilton, Rock. 20; Abbott, Ches. 1; R. Christie, Hills. 6; L. Turcotte, Straf. 4; Carson, Dist 14; McLean, Hills. 15; Education)

HB 1366, relative to the definition of educational competencies. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Education)

HB 1367, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. (Oxenham, Sull. 1; McConnell, Ches. 12; Gottling, Sull. 2; Cohen, Hills. 30; Snow, Hills. 42; MacKay, Merr. 14; Mangipudi, Hills. 35; Higgins, Graf. 12; Fuller Clark, Dist 21; Science, Technology and Energy)

HB 1368-FN, requiring firearms owners to have liability insurance. (Rogers, Merr. 28; Pollogenes, Merr. 28; Pollo

HB 1368-FN, requiring firearms owners to have liability insurance. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Horrigan, Straf. 6; Cilley, Straf. 4; C. Chase, Ches. 8; Commerce and Consumer Affairs)

HB 1369, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. (Robertson, Ches. 6; Spang, Straf. 6; B. French, Merr. 6; Criminal Justice and Public Safety)

HB 1370, relative to termination of tenancy. (Groen, Straf. 10; Judiciary)

HB 1371, establishing a committee to study education savings accounts for families of special needs students. (Cordelli, Carr. 4; K. Rice, Hills. 37; V. Sullivan, Hills. 16; Abramson, Rock. 20; Balcom, Hills. 21; Education)

HB 1372, permitting a child with a disability to use audio or video recording devices in the class-room. (Cordelli, Carr. 4; Grenier, Sull. 7; Boehm, Hills. 20; Massimilla, Graf. 1; Harris, Rock. 9; V. Sullivan, Hills. 16; Adams, Hills. 26; Avard, Dist 12; Stiles, Dist 24; Education)

HB 1373-FN, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. (Lachance, Hills. 8; Bouldin, Hills. 12; Baldasaro, Rock. 5; Potucek, Rock. 6; Aldrich, Belk. 2; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

HB 1374, relative to rebates to ratepayers from the renewable energy fund. (Notter, Hills. 21; Baldasaro, Rock. 5; Tamburello, Rock. 5; W. O'Brien, Hills. 5; Stepanek, Hills. 22; Rappaport, Coos 1; Vadney, Belk. 2; Aldrich, Belk. 2; D. Thomas, Rock. 5; Science, Technology and Energy) HB 1375, relative to charter commissions for budgets in official ballot jurisdictions. (Ammon, Hills.

40; Hoelzel, Rock. 3; J. Belanger, Hills. 27; Stiles, Dist 24; Municipal and County Government) **HB 1376,** relative to temporary workers. (Cahill, Rock. 17; Richardson, Coos 4; Labor, Industrial

and Rehabilitative Services)

HB 1377, relative to receipt of absentee ballots. (Fields, Belk. 4; Gallagher, Belk. 4; Election Law)

HB 1378, relative to disabled voters requiring assistance. (Fields, Belk. 4; Election Law)

HB 1379, amending the requirement to use English in schools. (Ammon, Hills. 40; Bouldin, Hills. 12; Education)

HB 1380, relative to duties of police commissions. (Gray, Straf. 8; Municipal and County Government) **HB 1381-FN**, legalizing the sale of smoke bombs. (L. Christiansen, Hills. 37; Criminal Justice and Public Safety)

HB 1382, relative to the referendum procedure for public water systems. (Cheney, Straf. 17; Jones, Straf. 24; D. Thomas, Rock. 5; V. Fraser, Belk. 1; Hannon, Straf. 25; Birdsell, Dist 19; Cataldo, Dist 6; Municipal and County Government)

HB 1383, repealing the penalty for carrying away seaweed at night. (Abramson, Rock. 20; Burt, Hills. 39; Potucek, Rock. 6; Spillane, Rock. 2; Hull, Graf. 9; Fish and Game and Marine Resources)

HB 1384, clarifying powers of commissioners of deeds. (Abel, Graf. 13; Oxenham, Sull. 1; McBeath, Rock. 26; Pierce, Dist 5; Municipal and County Government)

HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax. (Lovejoy, Rock. 36; Major, Rock. 14; Abrami, Rock. 19; Ways and Means) HB 1386-FN, establishing a process for petitions for redress of grievance. (Brewster, Merr. 21;

Legislative Administration)

HB 1387, relative to vacancies in county offices. (Welch, Rock. 13; Major, Rock. 14; Weyler, Rock. 13; Eaton, Ches. 3; P. Schmidt, Straf. 19; Umberger, Carr. 2; Birdsell, Dist 19; Election Law) HB 1388-FN, expanding crossbow use into muzzeloader season. (Spillane, Rock. 2; Lachance, Hills. 8; Duarte, Rock. 2; R. Christie, Hills. 6; Itse, Rock. 10; D. Long, Merr. 4; Burt, Hills. 39; Aldrich, Belk. 2; Rideout, Coos 7; Whitehouse, Straf. 2; Reagan, Dist 17; Fish and Game and Marine Resources)

HB 1389, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. (Spillane, Rock. 2; Dean-Bailey, Rock. 32; Lachance, Hills. 8; C. McGuire, Merr. 29; Burt, Hills. 39; Duarte, Rock. 2; Aldrich, Belk. 2; Rideout, Coos 7; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Municipal and County Government)

HB 1390, relative to municipal authority to restrict where registered sex offenders live. (Webb, Rock. 6; Baldasaro, Rock. 5; Prudhomme-O'Brien, Rock. 6; Spillane, Rock. 2; LeBrun, Hills. 32; Infantine, Hills. 13; P. McCarthy, Hills. 29; Crawford, Carr. 4; Birdsell, Dist 19; Municipal and County Government)

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. (Webb, Rock. 6; Abramson, Rock. 20; Ferrante, Rock. 6; Grenier, Sull. 7; Pantelakos, Rock. 25; Abrami, Rock. 19; Potucek, Rock. 6; D. Sullivan, Hills. 42; Reagan, Dist 17; Ways and Means) HB 1392-L, relative to notice of land use violations and court costs in cases brought by a municipality. (L. Turcotte, Straf. 4; Hannon, Straf. 25; Mullen, Straf. 1; Cilley, Straf. 4; Whitehouse, Straf. 2; Municipal and County Government)

HB 1393, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. (Weyler, Rock. 13; Cordelli, Carr. 4; Boehm, Hills. 20; LeBrun, Hills. 32; Reagan, Dist 17; Birdsell, Dist 19; Education)

HB 1394, requiring the department of health and human services to report on the effectiveness of mental health treatment programs. (Weyler, Rock. 13; Guthrie, Rock. 13; Allen, Rock. 15; Barry, Hills. 21; Seidel, Hills. 28; Avard, Dist 12; Sanborn, Dist 9; Health, Human Services and Elderly Affairs) HB 1395, relative to municipal electronic records. (C. McGuire, Merr. 29; Reagan, Dist 17; Municipal and County Government)

HB 1396, relative to OHRV operation on certain highways in Grafton County. (D. Brown, Graf. 16; Ingbretson, Graf. 15; Bailey, Graf. 14; Hull, Graf. 9; Darrow, Graf. 17; Chandler, Carr. 1; Forrester, Dist 2; Transportation)

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial. (Irwin, Sull. 9: Public Works and Highways)

HB 1398, establishing a commission to study septic sludge spreading. (Irwin, Sull. 9; Grenier, Sull. 7; Bridge, Sull. 6; Environment and Agriculture)

HB 1399-FN, requiring licensure of outpatient abortion clinics. (Souza, Hills. 43; Gould, Hills. 7; Notter, Hills. 21; Baldasaro, Rock. 5; Berube, Straf. 18; Cordelli, Carr. 4; Itse, Rock. 10; Murphy, Hills. 7; Daniels, Dist 11; Cataldo, Dist 6; Judiciary)

HB 1400, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Criminal Justice and Public Safety)

HB 1401, relative to public libraries. (Vose, Rock. 9; Harris, Rock. 9; Tucker, Rock. 23; D. Thomas, Rock. 5; Municipal and County Government)

HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Lachance, Hills. 8; Municipal and County Government)

HB 1403, relative to reinsurance. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1404-FN, relative to certain director positions in the insurance department. (Butler, Carr. 7; Hunt, Ches. 11; Flanders, Belk. 3; Executive Departments and Administration)

HB 1405, repealing the prohibition on after market tinted glass in motor vehicles. (Borden, Rock. 24; Transportation)

HB 1406, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. (Snow, Hills. 42; LeBrun, Hills. 32; MacKay, Merr. 14; Fothergill, Coos 1; Sherman, Rock. 24; Freitas, Hills. 14; Heath, Hills. 14; Weber, Ches. 1; Deloge, Merr. 16; Emerson, Ches. 11; Feltes, Dist 15; Stiles, Dist 24; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1407, establishing a property tax credit for persons providing certain home health care services for a family member. (B. Tilton, Ches. 12; Cataldo, Dist 6; Municipal and County Government)

HB 1408-FN, relative to a school building inventory. (Ladd, Graf. 4; Myler, Merr. 10; Heath, Hills. 14; Shaw, Hills. 16; Gile, Merr. 27; Grenier, Sull. 7; Balcom, Hills. 21; Education)

HB 1409, relative to life, accident, and health insurance. (Hunt, Ches. 11; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1410, relative to motor vehicle coverage. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1411, making civics mandatory in public schools. (Estevez, Hills. 37; Manning, Rock. 8; Marston, Hills. 19; Education)

HB 1412-FN, relative to duties of the public utilities commission.(Oxenham, Sull. 1; Spang, Straf. 6; Baber, Straf. 14; Flanagan, Hills. 26; McConnell, Ches. 12; Gottling, Sull. 2; Pierce, Dist 5; Science, Technology and Energy)

HB 1413, establishing a commission to study processes to resolve right-to-know complaints. (Souza, Hills. 43; Ammon, Hills. 40; Cordelli, Carr. 4; Weyler, Rock. 13; Cheney, Straf. 17; Judiciary)

HB 1414, repealing the home education advisory council. (Hoell, Merr. 23; Itse, Rock. 10; Hannon, Straf. 25; Prudhomme-O'Brien, Rock. 6; Abramson, Rock. 20; Hull, Graf. 9; Education)

HB 1415, relative to escape from official custody. (Rogers, Merr. 28; Wheeler, Merr. 3; MacKay, Merr. 14; Schuett, Merr. 20; Ebel, Merr. 5; Henle, Merr. 12; Luneau, Merr. 10; Criminal Justice and Public Safety)

HB 1416-FN, relative to funding for state criminal background checks. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Pantelakos, Rock. 25; Horrigan, Straf. 6; C. Chase, Ches. 8; Feltes, Dist 15; Executive Departments and Administration)

HB 1417, relative to records of convenings of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)

HB 1419, relative to voting records in nonpublic sessions of public bodies. (Sylvia, Belk. 6; True, Rock. 4; D. Brown, Graf. 16; Judiciary)

HB 1420, relative to controlled drug prescription health and safety information. (J. Ward, Rock. 19; A. Christie, Rock. 37; Abrami, Rock. 19; Carson, Dist 14; Stiles, Dist 24; Health, Human Services and Elderly Affairs)

HB 1421-FN, relative to exemptions from certificate of title for a vehicle. (Ammon, Hills. 40; Spillane, Rock. 2; Aldrich, Belk. 2; Eastman, Hills. 28; Burt, Hills. 39; Hull, Graf. 9; Transportation) **HB 1422-FN,** creating an exemption from the business profits tax for new businesses in New Hampshire. (Estevez, Hills. 37; Eastman, Hills. 28; Manning, Rock. 8; Marston, Hills. 19; Takesian, Hills. 37; Ways and Means)

HB 1423-FN, relative to rulemaking for prescribing controlled drugs. (Rosenwald, Hills. 30; LeBrun, Hills. 32; MacKay, Merr. 14; Kurk, Hills. 2; Sherman, Rock. 24; Kelly, Dist 10; Stiles, Dist 24; Fuller Clark, Dist 21; Bradley, Dist 3; Health, Human Services and Elderly Affairs)

HB 1424-FN, establishing an office of program evaluation and government accountability. (Hannon, Straf. 25; Whitehouse, Straf. 2; Executive Departments and Administration)

HB 1425-FN, restricting the use of food stamps in convenience stores. (Leeman, Straf. 23; Health, Human Services and Elderly Affairs)

HB 1426-FN, relative to earned time credits for prisoners participating in rehabilitative or educational programming. (Welch, Rock. 13; Cushing, Rock. 21; Pantelakos, Rock. 25; D'Allesandro, Dist 20; Criminal Justice and Public Safety)

HB 1427-FN-A-L, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. (Cushing, Rock. 21; Spang, Straf. 6; F. Rice, Rock. 21; Oxenham, Sull. 1; Francese, Rock. 18; Buco, Carr. 2; Stiles, Dist 24; Fuller Clark, Dist 21; Woodburn, Dist 1; Municipal and County Government)

HB 1428-FN-A-L, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program. (Buco, Carr. 2; Fuller Clark, Dist 21; Finance)

HB 1429, relative to the use of microbeads in personal care products and over-the-counter drugs. (Pearson, Ches. 4; Suzanne Smith, Graf. 8; C. Chase, Ches. 8; Health, Human Services and Elderly Affairs)

HB 1430-FN, relative to registration of compact utility tractors. (L. Turcotte, Straf. 4; Hannon, Straf. 25; Hill, Merr. 3; Whitehouse, Straf. 2; Transportation)

HB 1431, relative to academic freedom and whistleblower protection. (Edelblut, Hills. 38; L. Turcotte, Straf. 4; Education)

HB 1432-FN, including the legislature as a public employer under the public employee labor relations act. (Cushing, Rock. 21; DiSilvestro, Hills. 9; Ley, Ches. 9; Rogers, Merr. 28; Myler, Merr. 10; Woodburn, Dist 1; Feltes, Dist 15; Soucy, Dist 18; Fuller Clark, Dist 21; D'Allesandro, Dist 20; Legislative Administration)

HB 1433-FN, establishing the office of ombudsman in the department of state. (Itse, Rock. 10; Seidel, Hills. 28; Executive Departments and Administration)

HB 1434-FN, relative to out-of-home placements under the child protection act. (Itse, Rock. 10; Ingbretson, Graf. 15; K. Rice, Hills. 37; Oligny, Rock. 34; Lachance, Hills. 8; Seidel, Hills. 28; Avard, Dist 12; Children and Family Law)

HB 1435, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Leeman, Straf. 23; Ammon, Hills. 40; D. McGuire, Merr. 21; Goulette, Hills. 23; Aldrich, Belk. 2; Criminal Justice and Public Safety)

HB 1436-FN, relative to exemption from the yield tax on timber for clearing for solar energy. (Townsend, Graf. 11; Spang, Straf. 6; Ways and Means)

HB 1437, relative to health insurance fraud and abuse reporting. (Sad, Ches. 1; Commerce and Consumer Affairs)

HB 1438-FN-L, relative to the registration of antique trailers. (D. McGuire, Merr. 21; True, Rock. 4: Laware, Sull. 8; Transportation)

HB 1439-L, requiring regional planning commissions to file an annual report. (McConnell, Ches. 12; Adams, Hills. 26; C. McGuire, Merr. 29; Comeau, Carr. 5; Notter, Hills. 21; Municipal and County Government)

HB 1440-FN, relative to certification for solid waste operators. (Manley, Hills. 3; McNamara, Hills. 38; Environment and Agriculture)

HB 1441-FN, requiring business impact notes for proposed legislation. (Sanborn, Hills. 41; Hannon, Straf. 25; Cordelli, Carr. 4; Potucek, Rock. 6; Schroadter, Rock. 17; Edelblut, Hills. 38; Schleien, Hills. 37; Birdsell, Dist 19; Legislative Administration)

HB 1442-FN, relative to objections to proposed agency rules under the administrative procedure act. (Sanborn, Hills. 41; Cordelli, Carr. 4; Schroadter, Rock. 17; Abrami, Rock. 19; E. Hennessey, Graf. 1; Balcom, Hills. 21; Pitre, Straf. 2; McConnell, Ches. 12; Vose, Rock. 9; Potucek, Rock. 6; Executive Departments and Administration)

HB 1443-FN, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. (Almy, Graf. 13; R. Walsh, Hills. 11; Hatch, Coos 6; Feltes, Dist 15; Ways and Means)

HB 1444-FN-A, relative to the rate of the insurance premium tax. (Almy, Graf. 13; Wallner, Merr. 10; Rosenwald, Hills. 30; Hatch, Coos 6; R. Walsh, Hills. 11; Feltes, Dist 15; Commerce and Consumer Affairs)

HB 1445-FN, relative to tinted windows on motor vehicles. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Scontsas, Hills. 30; Duarte, Rock. 2; Cataldo, Dist 6; Transportation)

HB 1446, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Burt, Hills. 39; Hoell, Merr. 23; Simmons, Hills. 17; Scontsas, Hills. 30; Itse, Rock. 10; Transportation)

HB 1447-FN, relative to child support paid through the department of health and human services. (Tamburello, Rock. 5; Baldasaro, Rock. 5; Simmons, Hills. 17; Oligny, Rock. 34; Itse, Rock. 10; Duarte, Rock. 2; Carson, Dist 14; Avard, Dist 12; Finance)

HB 1448, relative to contact between a plaintiff and defendant subject to a protective order. (Scontsas, Hills. 30; Burt, Hills. 39; K. Rice, Hills. 37; Criminal Justice and Public Safety)

HB 1449-FN, relative to additional temporary supplemental allowances for retired members of the retirement system. (Elliott, Rock. 8; Special Committee on Public Employee Pension Plans)

HB 1450, relative to risk-based capital for insurers. (Hunt, Ches. 11; Butler, Carr. 7; Flanders, Belk. 3; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1451-FN, allowing persons convicted of certain nonviolent first offenses to petition for an annulment of the criminal record. (Parison, Hills. 25; Coffey, Hills. 25; Pantelakos, Rock. 25; Borden, Rock. 24; Avard, Dist 12; Criminal Justice and Public Safety)

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials. (Steven Smith, Sull. 11; Transportation)

HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis.(Luneau, Merr. 10; Myler, Merr. 10; Wallner, Merr. 10; Feltes, Dist 15; Health, Human Services and Elderly Affairs) **HB 1454**, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. (Marple, Merr. 24; Comeau, Carr. 5; D. McGuire, Merr. 21; Legislative Administration)

HB 1455, relative to membership of a municipal budget committee. (Bickford, Straf. 3; Municipal and County Government)

HB 1456, relative to chartered public school boards. (Horrigan, Straf. 6; Rollo, Straf. 18; Education) **HB 1457**, establishing a code of professional ethics for New Hampshire teachers. (Ladd, Graf. 4; Balcom, Hills. 21; Weyler, Rock. 13; Avard, Dist 12; Reagan, Dist 17; Education)

HB 1458, relative to social media policies for educational institutions. (Seaworth, Merr. 20; Jones, Straf. 24; Simmons, Hills. 17; Whitehouse, Straf. 2; Education)

HB 1459, relative to commercial coverage. (Hunt, Ches. 11; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1460, relative to perambulation of town boundaries. (Hunt, Ches. 11; Chandler, Carr. 1; Municipal and County Government)

HB 1461, relative to the definition of and criteria for protection instream flow. (Mullen, Straf. 1; Spang, Straf. 6; Reagan, Dist 17; Fuller Clark, Dist 21; Resources, Recreation and Development) **HB 1462,** relative to the height of a motor vehicle body and chassis. (Byron, Hills. 20; Transportation) **HB 1463,** relative to mandatory vaccines. (Burt, Hills. 39; Souza, Hills. 43; Gould, Hills. 7; Fromuth,

Hills. 7; Abramson, Rock. 20; Hull, Graf. 9; V. Fraser, Belk. 1; Avard, Dist 12; Labor, Industrial and Rehabilitative Services)

HB 1464-FN, relative to monitoring visits to child day care agencies. (Burt, Hills. 39; Hogan, Hills. 34; Prudhomme-O'Brien, Rock. 6; Potucek, Rock. 6; Doucette, Rock. 8; Abramson, Rock. 20; Health, Human Services and Elderly Affairs)

HB 1465, relative to recording of roll calls of legislative committees. (Hannon, Straf. 25; Whitehouse, Straf. 2; Legislative Administration)

HB 1466, relative to labeling requirements for certain homestead food operations. (Hannon, Straf. 25; Environment and Agriculture)

HB 1467, relative to notice of village district elections. (Bates, Rock. 7; Election Law)

HB 1468, relative to sessions for correction of the checklist. (Bates, Rock. 7; Election Law)

HB 1469, relative to the restriction of drivers' licenses for nonpayment of child support. (Eastman, Hills. 28; Oligny, Rock. 34; Transportation)

HB 1470-FN, permitting additional site evaluation committee membership from towns or cities affected by an application. (Hull, Graf. 9; Darrow, Graf. 17; Science, Technology and Energy)

HB 1471, relative to parental rights. (Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Tucker, Rock. 23; Burt, Hills. 39; Jones, Straf. 24; Groen, Straf. 10; L. Turcotte, Straf. 4; Ingbretson, Graf. 15; Abramson, Rock. 20; Children and Family Law)

HB 1472, relative to the siting of certain new pipelines and storage vessels. (McConnell, Ches. 12; Emerson, Ches. 11; B. Tilton, Ches. 12; J. Belanger, Hills. 27; Abramson, Rock. 20; Edelblut, Hills. 38; Sanborn, Dist 9; Science, Technology and Energy)

HB 1473, relative to small loans. (Jones, Straf. 24; Commerce and Consumer Affairs)

HB 1474, requiring the collection of data relative to firearm related deaths and injuries. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Burton, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; Criminal Justice and Public Safety)

HB 1475-FN-A, establishing a death benefit for a school employee killed in the line of duty. (Rogers, Merr. 28; Berch, Ches. 1; Lachance, Hills. 8; Finance)

HB 1476, relative to prohibitions on the employment of youth. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; C. McGuire, Merr. 29; Ferreira, Hills. 28; Hull, Graf. 9; Labor, Industrial and Rehabilitative Services)

HB 1477, relative to the grace period for motor vehicle inspections. (D. McGuire, Merr. 21; True, Rock. 4; Gagne, Hills. 13; Rideout, Coos 7; Laware, Sull. 8; Reagan, Dist 17; Transportation)

HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. (Williams, Hills. 4; Butler, Carr. 7; Commerce and Consumer Affairs) HB 1479, establishing a broadband study committee. (Townsend, Graf. 11; Ratzki, Merr. 1; Shepardson, Ches. 10; Chandler, Carr. 1; Leishman, Hills. 24; Karrick, Merr. 25; Ebel, Merr. 5; Science, Technology and Energy)

HB 1480-FN, establishing a state minimum wage. (Butler, Carr. 7; Berch, Ches. 1; Fuller Clark, Dist 21; Labor, Industrial and Rehabilitative Services)

HB 1481, relative to the qualifications of jurors. (Sylvia, Belk. 6; Judiciary)

HB 1482, establishing a committee to study improving the statewide voter registration database. (Backus, Hills. 19; Cote, Hills. 31; Cushing, Rock. 21; Lachance, Hills. 8; Fuller Clark, Dist 21; Feltes, Dist 15; Election Law)

HB 1483, relative to community renewable energy. (Oxenham, Sull. 1; Spang, Straf. 6; Cohen, Hills. 30; Ford, Graf. 3; Higgins, Graf. 12; Rosenwald, Hills. 30; Harvey, Hills. 29; Mangipudi, Hills. 35; Fuller Clark, Dist 21; Pierce, Dist 5; Science, Technology and Energy)

HB 1484, relative to the election of members of the state board of education. (Cordelli, Carr. 4; Boehm, Hills. 20; Pitre, Straf. 2; Adams, Hills. 26; Moore, Hills. 21; V. Sullivan, Hills. 16; Education) HB 1485, relative to private rights of action under the pupil safety and violence prevention act. (McBeath, Rock. 26; Fromuth, Hills. 7; Education)

HB 1486, relative to membership of the state house bicentennial commission. (Cushing, Rock. 21; Legislative Administration)

HB 1487 - not introduced.

HB 1488, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. (D. Sullivan, Hills. 42; Ways and Means)

HB 1489, establishing a committee to study the rates of employer contributions in the retirement system. (Kurk, Hills. 2; Special Committee on Public Employee Pension Plans)

HB 1490, relative to collaborative practice between pharmacists and health care practitioners. (MacKay, Merr. 14; S. Schmidt, Carr. 6; Sytek, Rock. 8; LeBrun, Hills. 32; P. Schmidt, Straf. 19; Proulx, Hills. 44; Feltes, Dist 15; Health, Human Services and Elderly Affairs)

HB 1491, relative to trust fund interest. (Kurk, Hills. 2; Commerce and Consumer Affairs)

HB 1492, regarding individual privacy when law enforcement agencies use body-worn cameras. (Kurk, Hills. 2; Criminal Justice and Public Safety)

HB 1493, relative to ownership of DNA. (Kurk, Hills. 2; Whitehouse, Straf. 2; Judiciary)

HB 1494, relative to the expectation of privacy in personal information. (Kurk, Hills. 2; Judiciary) HB 1495-FN-L, relative to insurance incentives to lower costs of health care. (Kurk, Hills. 2; D.

McGuire, Merr. 21; Commerce and Consumer Affairs)

HB 1496, relative to the expectation of privacy in personal materials. (Kurk, Hills. 2; Judiciary)

HB 1497, relative to the expectation of privacy in personal materials. (Xurk, Fills, 2; Education)

HB 1497, relative to the limits on disclosure of information used on college entrance exams. (Kurk, Hills, 2; Education)

HB 1498, repealing the prohibition on certain gambling. (Ammon, Hills. 40; Simmons, Hills. 17; Osborne, Rock. 4; Spillane, Rock. 2; Aldrich, Belk. 2; Schleien, Hills. 37; Baldasaro, Rock. 5; Ingbretson, Graf. 15; Itse, Rock. 10; Reagan, Dist 17; Ways and Means)

HB 1499-FN, relative to certificates for rabies vaccination of dogs, cats, or ferrets. (Ammon, Hills. 40; Goulette, Hills. 23; Environment and Agriculture)

HB 1500, relative to default budgets for the purpose of setting tax rates. (Ammon, Hills. 40; Baldasaro, Rock. 5; Spillane, Rock. 2; Aldrich, Belk. 2; Cheney, Straf. 17; Souza, Hills. 43; Fromuth, Hills. 7; Potucek, Rock. 6; Municipal and County Government)

HB 1501, relative to qualifying medical conditions for the use of cannabis. (Wright, Carr. 8; Lachance, Hills. 8; Health, Human Services and Elderly Affairs)

HB 1502, establishing a committee to study odor emissions from landfills. (Massimilla, Graf. 1; Sad, Ches. 1; Theberge, Coos 3; Alicea, Merr. 8; Cordelli, Carr. 4; Irwin, Sull. 9; Science, Technology and Energy)

HB 1503, relative to distributing campaign materials at the polling place. (Fields, Belk. 4; Election Law) HB 1504-FN-L, relative to the execution of a real estate tax lien on a primary residence. (Hoell, Merr. 23; Itse, Rock. 10; Abramson, Rock. 20; Ingbretson, Graf. 15; Municipal and County Government) HB 1505, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. (Cushing, Rock. 21; Municipal and County Government) HB 1506, establishing a committee to study the use of solitary confinement in New Hampshire. (Edwards, Hills. 11; Lachance, Hills. 8; Schleien, Hills. 37; Bouldin, Hills. 12; Hannon, Straf. 25; Criminal Justice and Public Safety)

HB 1507, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. (Edwards, Hills. 11; Lachance, Hills. 8; Schleien, Hills. 37; Bouldin, Hills. 12; Hannon, Straf. 25; Criminal Justice and Public Safety)

HB 1508, allowing public libraries to run certain privacy software. (Ammon, Hills. 40; Goulette, Hills. 23; S. Sweeney, Hills. 23; Schleien, Hills. 37; Kurk, Hills. 2; Aldrich, Belk. 2; Ferreira, Hills. 28; Municipal and County Government)

HB 1509, relative to the definition of "houseboat." (Ammon, Hills. 40; Transportation)

HB 1510, relative to the review of minutes of nonpublic sessions. (Ammon, Hills. 40; Goulette, Hills. 23; Spillane, Rock. 2; Judiciary)

HB 1511-FN-L, relative to hours of polling. (Burton, Straf. 6; Election Law)

HB 1512, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. (Murphy, Hills. 7; Labor, Industrial and Rehabilitative Services)

HB 1513, relative to the duties of registers of probate. (Gray, Straf. 8; Municipal and County Government)

HB 1514, relative to the application of nitrogen and phosphorus content fertilizers. (Schroadter, Rock. 17; Mullen, Straf. 1; Sanborn, Hills. 41; Environment and Agriculture)

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. (Schroadter, Rock. 17; Whitehouse, Straf. 2; Election Law) HB 1516-FN, relative to balance billing. (Luneau, Merr. 10; Myler, Merr. 10; Butler, Carr. 7; Feltes, Dist 15; Bradley, Dist 3; Commerce and Consumer Affairs)

HB 1517, relative to temporary seasonal docks. (McConkey, Carr. 3; Chandler, Carr. 1; Bradley, Dist 3; Resources, Recreation and Development)

HB 1518, relative to village district members of budget committees. (Bates, Rock. 7; Municipal and County Government)

HB 1519, relative to the season for taking bear using dogs set by the executive director of fish and game. (T. Walsh, Merr. 24; Fish and Game and Marine Resources)

HB 1520, relative to the membership of the medical review subcommittee. (Sherman, Rock. 24; Berrien, Rock. 18; Fothergill, Coos 1; Stiles, Dist 24; Reagan, Dist 17; Health, Human Services and Elderly Affairs)

HB 1521, allowing voters to vote for multiple candidates for an office. (Ammon, Hills. 40; D. McGuire, Merr. 21; Schleien, Hills. 37; Edelblut, Hills. 38; Election Law)

HB 1522, adopting the Federal Rules of Civil Procedure as law. (Goulette, Hills. 23; Judiciary)

HB 1523, relative to government construction contracts. (Abramson, Rock. 20; L. Turcotte, Straf. 4; Spillane, Rock. 2; Hoell, Merr. 23; Aldrich, Belk. 2; Eastman, Hills. 28; Reagan, Dist 17; Labor, Industrial and Rehabilitative Services)

HB 1524-FN-A, repealing fish and game department authority to establish fees by administrative rulemaking. (Duarte, Rock. 2; Spillane, Rock. 2; Burt, Hills. 39; Tamburello, Rock. 5; Rappaport, Coos 1; Hill, Merr. 3; Rideout, Coos 7; Fish and Game and Marine Resources)

HB 1525-FN, relative to the circumstances that constitute indecent exposure and lewdness. (Gallagher, Belk. 4; Hurt, Belk. 2; Spanos, Belk. 3; Criminal Justice and Public Safety)

HB 1526-FN-L, providing for the election of members of the county convention as a separate county office. (Buco, Carr. 2; Chandler, Carr. 1; Beaulieu, Hills. 45; Municipal and County Government)

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. (L. Ober, Hills. 37; Emerick, Rock. 21; Spanos, Belk. 3; Weyler, Rock. 13; M. Smith, Straf. 6; Leishman, Hills. 24; Eaton, Ches. 3; Reagan, Dist 17; Carson, Dist 14; Executive Departments and Administration)

HB 1528-FN, relative to standards for aerobic septic systems. (Pitre, Straf. 2; Whitehouse, Straf. 2; Jones, Straf. 24; Cataldo, Dist 6; Environment and Agriculture)

HB 1529-FN, relative to reporting of felony convictions for voter checklist updates. (Bates, Rock. 7; Election Law)

HB 1530-FN-L, relative to mail-in voting. (Rogers, Merr. 28; Moody, Rock. 17; P. Brown, Hills. 31; O'Neil, Hills. 9; Election Law)

HB 1531, permitting the legislature to open the state house on weekends. (Haefner, Hills. 37; Sad, Ches. 1; Shurtleff, Merr. 11; Rowe, Hills. 22; Weyler, Rock. 13; Feltes, Dist 15; Boutin, Dist 16; Reagan, Dist 17; Stiles, Dist 24; Bradley, Dist 3; Watters, Dist 4; Legislative Administration)

HB 1532, permitting state or county prisoners to vote by absentee ballot. (P. Schmidt, Straf. 19; Spang, Straf. 6; Bartlett, Merr. 19; Verschueren, Straf. 13; Election Law)

HB 1533, relative to noise level limitations for permanent machinery. (McConnell, Ches. 12; Emerson, Ches. 11; J. Belanger, Hills. 27; Adams, Hills. 26; Coffey, Hills. 25; C. Roberts, Hills. 4; Shepardson, Ches. 10; Byron, Hills. 20; B. Tilton, Ches. 12; Sanborn, Dist 9; Municipal and County Government) HB 1534, relative to reports of death of voters. (Bates, Rock. 7; Election Law)

HB 1535-FN, relative to liability for payment of criminal record background checks and drug tests. (Ulery, Hills. 37; Labor, Industrial and Rehabilitative Services)

HB 1536-FN-A, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. (Brewster, Merr. 21; Resources, Recreation and Development)

HB 1537-FN, relative to testing for Lyme disease. (P. Brown, Hills. 31; Rogers, Merr. 28; LeBrun, Hills. 32; Emerson, Ches. 11; Daniels, Dist 11; Health, Human Services and Elderly Affairs)

HB 1538-FN-A, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. (Ingbretson, Graf. 15; Ways and Means)

HB 1539-FN, relative to procedures for resolving ties in legislative races. (Cushing, Rock. 21; Saunderson, Merr. 9; McConnell, Ches. 12; Election Law)

HB 1540-FN, relative to direct shipments of beer. (Murphy, Hills. 7; Schroadter, Rock. 17; Commerce and Consumer Affairs)

HB 1541-FN, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. (Cushing, Rock. 21; Mangipudi, Hills. 35; MacKay, Merr. 14; Sherman, Rock. 24; Berrien, Rock. 18; Danielson, Hills. 7; Pantelakos, Rock. 25; Stiles, Dist 24; Lasky, Dist 13; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1542-FN, requiring drug testing of public assistance recipients. (Leeman, Straf. 23; Potucek, Rock. 6; Health, Human Services and Elderly Affairs)

HB 1543-FN, relative to prosecutorial misconduct. (Abramson, Rock. 20; Itse, Rock. 10; McConnell, Ches. 12; Hull, Graf. 9; Criminal Justice and Public Safety)

HB 1544-FN-A-L, establishing a tax on revenues from natural gas transmission. (B. Tilton, Ches. 12; Ways and Means)

HB 1545-FN, relative to Lucky 7 tickets. (Infantine, Hills. 13; Ways and Means)

HB 1546-FN, permitting the audio recording of a public servant performing a public function. (Hull, Graf. 9; Sylvia, Belk. 6; Aldrich, Belk. 2; Ammon, Hills. 40; Criminal Justice and Public Safety)

HB 1547-FN, prohibiting beastiality. (Rogers, Merr. 28; Baldasaro, Rock. 5; Burt, Hills. 39; Ford, Graf. 3; Horrigan, Straf. 6; Berch, Ches. 1; C. Chase, Ches. 8; Abbott, Ches. 1; D'Allesandro, Dist 20; Criminal Justice and Public Safety)

HB 1548-FN, prohibiting the trade of shark fins. (Booras, Hills. 33; Fish and Game and Marine Resources) HB 1549-FN, requiring the department of safety to establish a database cataloging certain law enforcement activities. (Ammon, Hills. 40; Goulette, Hills. 23; Fromuth, Hills. 7; Osborne, Rock. 4; Hull, Graf. 9; Aldrich, Belk. 2; Kurk, Hills. 2; Criminal Justice and Public Safety)

HB 1550-FN, relative to the duties of the ombudsman. (Ammon, Hills. 40; Osborne, Rock. 4; Health, Human Services and Elderly Affairs)

HB 1551-FN-A, establishing the John and Molly Stark scholarship program and making an appropriation therefor. (Burton, Straf. 6; Myler, Merr. 10; Gile, Merr. 27; Education)

HB 1552-FN, extending the penalty of death to acts of terrorism and civil rights offenses. (Flanagan, Hills. 26; Criminal Justice and Public Safety)

HB 1553-FN, transferring the administration of the telecommunications accounting unit. (L. Ober, Hills. 37; Emerick, Rock. 21; Spanos, Belk. 3; Eaton, Ches. 3; Umberger, Carr. 2; Weyler, Rock. 13; Birdsell, Dist 19; Reagan, Dist 17; Carson, Dist 14; Cataldo, Dist 6; Bradley, Dist 3; Science, Technology and Energy)

HB 1554-FN, establishing a state sports lottery. (Schroadter, Rock. 17; Mullen, Straf. 1; Whitehouse, Straf. 2; Ways and Means)

HB 1555-FN, relative to the manner in which New Hampshire takes possession of land. (McConnell, Ches. 12; B. Tilton, Ches. 12; Adams, Hills. 26; Coffey, Hills. 25; C. Roberts, Hills. 4; Notter, Hills. 21; Flanagan, Hills. 26; Judiciary)

HB 1556-FN, relative to Lucky 7 tickets. (D. Sullivan, Hills. 42; Executive Departments and Administration)

HB 1557-FN, relative to alcohol and drug treatment programs. (Kurk, Hills. 2; Health, Human Services and Elderly Affairs)

HB 1558-FN, requiring the university system of New Hampshire to examine the disposition of children in state custody. (Brewster, Merr. 21; Education)

HB 1559-FN, relative to property taxes paid by education facilities leasing property. (Horrigan, Straf. 6; Municipal and County Government)

HB 1560-FN, relative to abortion procedures. (Moore, Hills. 21; R. Christie, Hills. 6; Prudhomme-O'Brien, Rock. 6; Marston, Hills. 19; Spillane, Rock. 2; Notter, Hills. 21; Avard, Dist 12; Judiciary) **HB 1561-FN**, relative to freedom of expression on college campuses. (Edelblut, Hills. 38; L. Turcotte, Straf. 4; Education)

HB 1562-FN-L, allowing counties to establish heroin use prevention and treatment programs. (Abramson, Rock. 20; Lachance, Hills. 8; Murotake, Hills. 32; Potucek, Rock. 6; Hoell, Merr. 23; J. Ward, Rock. 19; Municipal and County Government)

HB 1563-FN-L, relative to funding for full-day kindergarten pupils. (Luneau, Merr. 10; Myler, Merr. 10; Verschueren, Straf. 13; Gile, Merr. 27; Feltes, Dist 15; Education)

HB 1564-FN-A, establishing an independent redistricting commission. (Cote, Hills. 31; C. Chase, Ches. 8; Butler, Carr. 7; Berch, Ches. 1; Burton, Straf. 6; Porter, Hills. 1; Fuller Clark, Dist 21; Election Law)

HB 1565-FN, relative to transportation companies under the Medicaid managed care program. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Health, Human Services and Elderly Affairs)

HB 1566-FN, relative to out-of-state transportation companies. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Health, Human Services and Elderly Affairs)

HB 1567-FN-A, authorizing friends of animal number plates. (Massimilla, Graf. 1; Theberge, Coos 3; Bailey, Graf. 14; Alicea, Merr. 8; Rogers, Merr. 28; Transportation)

HB 1568-FN-A, relative to prepaid road tolls for certain alternative energy vehicles. (F. Tilton, Belk. 3; Public Works and Highways)

HB 1569-FN, relative to volunteers under the department of resources and economic development. (C. Christensen, Hills. 21; Gottling, Sull. 2; Russell, Belk. 5; Ford, Graf. 3; Emerick, Rock. 21; Infantine, Hills. 13; Kelly, Dist 10; Stiles, Dist 24; Woodburn, Dist 1; Judiciary)

HB 1570-FN, repealing the law governing access to reproductive health care facilities.(Hoell, Merr. 23; Goulette, Hills. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; W. O'Brien, Hills. 5; Rideout, Coos 7; Notter, Hills. 21; Groen, Straf. 10; Seidel, Hills. 28; Judiciary)

HB 1571-FN, prohibiting the possession, purchase, or sale of equipment used for animal fighting. (Booras, Hills. 33; Environment and Agriculture)

HB 1572-FN, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. (Townsend, Graf. 11; Ratzki, Merr. 1; Ways and Means) HB 1573-FN, relative to brokers arranging transportation for Medicaid patients. (Martel, Hills. 44; Byron, Hills. 20; Fields, Belk. 4; V. Sullivan, Hills. 16; Stiles, Dist 24; Health, Human Services and Elderly Affairs)

HB 1574-FN-A, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. (Tholl, Coos 5; Welch, Rock. 13; Eaton, Ches. 3; Richardson, Coos 4; Theberge, Coos 3; Pantelakos, Rock. 25; Carson, Dist 14; Forrester, Dist 2; Judiciary)

HB 1575-FN, prohibiting certain court filing fees. (Brewster, Merr. 21; Judiciary)

HB 1576-FN-L, repealing the licensure of dogs. (Hull, Graf. 9; Sylvia, Belk. 6; Aldrich, Belk. 2; Ammon, Hills. 40; Municipal and County Government)

HB 1577-FN, relative to alternatives to incarceration as a criminal penalty. (Kurk, Hills. 2; Judiciary) HB 1578, relative to the maintenance of private roads. (Chirichiello, Rock. 6; R. Christie, Hills. 6; P. McCarthy, Hills. 29; Flanagan, Hills. 26; Hinch, Hills. 21; Birdsell, Dist 19; Public Works and Highways)

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission. (Baroody, Hills. 43; Massimilla, Graf. 1; DiSilvestro, Hills. 9; Hinch, Hills. 21; Commerce and Consumer Affairs)

HB 1580-FN, removing the real estate commission from the office of professional licensure and certification. (Baroody, Hills. 43; DiSilvestro, Hills. 9; Executive Departments and Administration) HB 1581-FN-A, establishing a special marriage officiant license. (Cushing, Rock. 21; M. Hennessey, Graf. 12; Eaton, Ches. 3; Lovejoy, Rock. 36; Harvey, Hills. 29; Mangipudi, Hills. 35; Rogers, Merr. 28; DeSimone, Rock. 14; McBeath, Rock. 26; DiSesa, Straf. 16; Soucy, Dist 18; Lasky, Dist 13; Feltes, Dist 15; Judiciary)

HB 1582-FN, relative to judicial salaries. (Luther, Belk. 3; Judiciary)

HB 1583-FN, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. (Massimilla, Graf. 1; Theberge, Coos 3; Bailey, Graf. 14; Alicea, Merr. 8; Hannon, Straf. 25; Baldasaro, Rock. 5; Whitehouse, Straf. 2; Carson, Dist 14; Transportation)

HB 1584-FN, relative to minimum and maximum sentences for felony convictions. (Cushing, Rock. 21; Welch, Rock. 13; Criminal Justice and Public Safety)

HB 1585-FN, relative to competitive bidding in Carroll county. (Cordelli, Carr. 4; S. Schmidt, Carr. 6; McConkey, Carr. 3; Avellani, Carr. 5; Comeau, Carr. 5; Wright, Carr. 8; Buco, Carr. 2; F. McCarthy, Carr. 2; Municipal and County Government)

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter. (Proulx, Hills. 44; Criminal Justice and Public Safety)

HB 1587, relative to limitations on capital reserve funds of counties. (Irwin, Sull. 9; Municipal and County Government)

HB 1588, relative to employment restrictions on former executive branch commissioners, and repealing certain prohibitions on employment of state employees. (Umberger, Carr. 2; Weyler, Rock. 13; Eaton, Ches. 3; Executive Departments and Administration)

HB 1589-FN, prohibiting the transportation of exotic aquatic weeds. (Gottling, Sull. 2; Suzanne Smith, Graf. 8; Spang, Straf. 6; Mullen, Straf. 1; Ebel, Merr. 5; Bradley, Dist 3; Fuller Clark, Dist 21; Resources, Recreation and Development)

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses. (Butler, Carr. 7; Fuller Clark, Dist 21; Commerce and Consumer Affairs)

HB 1591-FN-A, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (L. Ober, Hills. 37; Weyler, Rock. 13; Barry, Hills. 21; Umberger, Carr. 2; Finance)

HB 1592-FN, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Kurk, Hills. 2; Weyler, Rock. 13; Little, Dist 8; Finance) HB 1593-FN-L, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. (Brewster, Merr. 21; Legislative Administration)

HB 1594-FN, relative to emergency medical services. (White, Graf. 13; Danielson, Hills. 7; Goley, Hills. 8; Proulx, Hills. 44; Carson, Dist 14; Pierce, Dist 5; Executive Departments and Administration) HB 1595-FN, relative to the rivers management and protection program. (Spang, Straf. 6; Ford, Graf. 3; Gottling, Sull. 2; Beaulieu, Hills. 45; Reagan, Dist 17; Fuller Clark, Dist 21; Resources, Recreation and Development)

HB 1596-FN-L, changing the marriage license requirement to a requirement that couples obtains a certificate of notice of intent to marry and a certificate of marriage. (Itse, Rock. 10; Hill, Merr. 3; Hoell, Merr. 23; Ingbretson, Graf. 15; Judiciary)

HB 1597-FN, relative to preservation of biological material in a criminal investigation for DNA testing. (Abramson, Rock. 20; Itse, Rock. 10; Criminal Justice and Public Safety)

HB 1598-FN, relative to the penalty for driving while intoxicated, third or subsequent offense. (Estevez, Hills. 37; Manning, Rock. 8; Doucette, Rock. 8; Marston, Hills. 19; Criminal Justice and Public Safety)

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person. (Weyler, Rock. 13; L. Turcotte, Straf. 4; A. Turcotte, Merr. 22; D. Brown, Graf. 16; Lachance, Hills. 8; Birdsell, Dist 19; Criminal Justice and Public Safety)

HB 1600-FN, prohibiting the possession of a flame thrower. (Rogers, Merr. 28; Rollo, Straf. 18; Horrigan, Straf. 6; C. Chase, Ches. 8; Pearson, Ches. 4; Criminal Justice and Public Safety)

HB 1601, relative to certain continuing care communities. (Abel, Graf. 13; Suzanne Smith, Graf. 8; Almy, Graf. 13; Hurt, Belk. 2; Ebel, Merr. 5; Commerce and Consumer Affairs)

HB 1602-FN-A-L, establishing a road usage fee and making an appropriation therefor. (Major, Rock. 14; Cooney, Graf. 8; Ohm, Hills. 36; Chandler, Carr. 1; Packard, Rock. 5; Almy, Graf. 13; Cloutier, Sull. 10; Henle, Merr. 12; Watters, Dist 4; Public Works and Highways)

HB 1603-FN, requiring the registration of drug dealers. (J. Belanger, Hills. 27; LeBrun, Hills. 32; Criminal Justice and Public Safety)

HB 1604-FN-A-L, relative to exceptional student education programs and providing funding therefor. (Ladd, Graf. 4; Myler, Merr. 10; Kurk, Hills. 2; Balcom, Hills. 21; Gile, Merr. 27; Heath, Hills. 14; Shaw, Hills. 16; Education)

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry. (Suzanne Smith, Graf. 8; MacKay, Merr. 14; Ford, Graf. 3; Horrigan, Straf. 6; Emerson, Ches. 11; Forrester, Dist 2; Health, Human Services and Elderly Affairs)

HB 1606-FN, relative to unlawful sale or possession of alcoholic beverages. (Abramson, Rock. 20; Criminal Justice and Public Safety)

HB 1607-FN, relative to entering dismissals of cases by nolle prosequi. (Brewster, Merr. 21; Judiciary) **HB 1608-FN**, relative to uniform prior authorization forms. (Fothergill, Coos 1; Sherman, Rock. 24; Hunt, Ches. 11; Bradley, Dist 3; Woodburn, Dist 1; Commerce and Consumer Affairs)

HB 1610-FN, legalizing the possession and cultivation of marijuana for personal use. (Sylvia, Belk. 6; Hull, Graf. 9; Criminal Justice and Public Safety)

HB 1611-FN-L, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. (P. Long, Hills. 10; Judiciary)

HB 1612-FN, relative to the age for purposes of compulsory education. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Education)

HB 1613-FN, relative to criminal prosecution for those charged with prostitution. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Criminal Justice and Public Safety) HB 1614-FN, relative to the criminal penalty for prostitution. (Edwards, Hills. 11; Bouldin, Hills. 12; C. McGuire, Merr. 29; Criminal Justice and Public Safety)

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Packard, Rock. 5; Hinch, Hills. 21; Shurtleff, Merr. 11; Steven Smith, Sull. 11; T. Walsh, Merr. 24; Bates, Rock. 7; Gionet, Graf. 5; J. Ward, Rock. 19; Stiles, Dist 24; Boutin, Dist 16; Transportation)

HB 1617, relative to funding for housing projects by the New Hampshire housing finance authority. (Sad, Ches. 1; Flanagan, Hills. 26; Burt, Hills. 39; Commerce and Consumer Affairs)

HB 1618, relative to debt adjustment services. (Hunt, Ches. 11; Commerce and Consumer Affairs) HB 1619-FN, relative to the use of narcan. (Hopper, Hills. 2; Oligny, Rock. 34; Rouillard, Hills. 6; Feltes, Dist 15; Carson, Dist 14; Health, Human Services and Elderly Affairs)

HB 1620-FN-A, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. (Brewster, Merr. 21; Children and Family Law)

HB 1621-FN-L, relative to sanctuary cities. (Potucek, Rock. 6; Lachance, Hills. 8; V. Sullivan, Hills. 16; Baldasaro, Rock. 5; DeLemus, Straf. 11; McConnell, Ches. 12; Notter, Hills. 21; Rideout, Coos 7; Steven Smith, Sull. 11; L. Turcotte, Straf. 4; Prudhomme-O'Brien, Rock. 6; Doucette, Rock. 8; Mullen, Straf. 1; Cataldo, Dist 6; Birdsell, Dist 19; Municipal and County Government)

HB 1622-FN, relative to radioactive waste and establishing a nuclear waste storage fee. (Cushing, Rock. 21; B. French, Merr. 6; Science, Technology and Energy)

HB 1623-FN, prohibiting an abortion based on genetic abnormalities. (Cordelli, Carr. 4; Gould, Hills. 7; Groen, Straf. 10; Souza, Hills. 43; Moore, Hills. 21; Wuelper, Straf. 3; LeBrun, Hills. 32; Leeman, Straf. 23; V. Sullivan, Hills. 16; Judiciary)

HB 1624-FN, relative to electioneering by public employees. (Gray, Straf. 8; Election Law)

HB 1625-FN, relative to banning abortion after viability. (Murphy, Hills. 7; Notter, Hills. 21; D. McGuire, Merr. 21; Avard, Dist 12; Seidel, Hills. 28; Judiciary)

HB 1626-FN, relative to drug take-back programs. (V. Sullivan, Hills. 16; Lachance, Hills. 8; Boehm, Hills. 20; Carson, Dist 14; Criminal Justice and Public Safety)

HB 1627-FN, relative to the protection of infants born alive. (Groen, Straf. 10; V. Sullivan, Hills. 16; Murotake, Hills. 32; Judiciary)

HB 1628-FN, relative to human trafficking involving persons under 18 years of age. (Gallagher, Belk. 4; Lachance, Hills. 8; Hill, Merr. 3; Seidel, Hills. 28; Forrester, Dist 2; Criminal Justice and Public Safety)

HB 1629-FN, relative to disqualifying members of certain groups from receiving public assistance. (Weyler, Rock. 13; Baldasaro, Rock. 5; Itse, Rock. 10; Balcom, Hills. 21; LeBrun, Hills. 32; Tamburello, Rock. 5; Burt, Hills. 39; Leeman, Straf. 23; Avard, Dist 12; Health, Human Services and Elderly Affairs)

HB 1630-FN-L, relative to calculating the base cost of an adequate education. (Ladd, Graf. 4; Myler, Merr. 10; Education)

HB 1631-FN, relative to penalties for possession of marijuana. (Schroadter, Rock. 17; Cushing, Rock. 21; Lachance, Hills. 8; C. McGuire, Merr. 29; Murphy, Hills. 7; Kaen, Straf. 5; Whitehouse, Straf. 2; Simmons, Hills. 17; Phillips, Ches. 16; Criminal Justice and Public Safety)

HB 1632-FN, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. (Rogers, Merr. 28; Rollo, Straf. 18; Horrigan, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; Berch, Ches. 1; P. Brown, Hills. 31; Pierce, Dist 5; Criminal Justice and Public Safety)

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. (Webb, Rock. 6; Cahill, Rock. 17; Cushing, Rock. 21; Emerson, Ches. 11; Infantine, Hills. 13; LeBrun, Hills. 32; Patten, Merr. 17; Rouillard, Hills. 6; White, Graf. 13; Feltes, Dist 15; Reagan, Dist 17; Carson, Dist 14; D'Allesandro, Dist 20; Birdsell, Dist 19; Labor, Industrial and Rehabilitative Services)

HB 1634-FN, relative to the penalty for possession, use, or sale of fentanyl. (Estevez, Hills. 37; Doucette, Rock. 8; Manning, Rock. 8; Marston, Hills. 19; Takesian, Hills. 37; Health, Human Services and Elderly Affairs)

HB 1635-FN, relative to the theft of a firearm during a burglary. (Rogers, Merr. 28; Baldasaro, Rock. 5; Berch, Ches. 1; Rollo, Straf. 18; Horrigan, Straf. 6; Burton, Straf. 6; Berrien, Rock. 18; Criminal Justice and Public Safety)

HB 1636-FN, prohibiting abortions once an unborn child can feel pain. (Groen, Straf. 10; Hogan, Hills. 34; Ulery, Hills. 37; Murotake, Hills. 32; Seidel, Hills. 28; Moore, Hills. 21; Judiciary)

HB 1637-FN, relative to school attendance in towns with no public schools. (Boehm, Hills. 20; Edelblut, Hills. 38; Gottling, Sull. 2; Irwin, Sull. 9; Grenier, Sull. 7; Education)

HB 1638-FN-L, relative to the allocation of lottery revenues to schools. (Leeman, Straf. 23; D. McGuire, Merr. 21; Education)

HB 1639-FN, relative to bonds for public employees. (Marple, Merr. 24; Ingbretson, Graf. 15; Itse, Rock. 10; McClarren, Hills. 29; Executive Departments and Administration)

HB 1640-FN, relative to the expiration of administrative rules. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Edelblut, Hills. 38; Executive Departments and Administration)

HB 1641-FN-L, relative to requiring prevailing wages on state-funded public works projects. (Cilley, Straf. 4; Rogers, Merr. 28; Cushing, Rock. 21; Oxenham, Sull. 1; Schuett, Merr. 20; Ley, Ches. 9; Goley, Hills. 8; Luneau, Merr. 10; Feltes, Dist 15; Soucy, Dist 18; Labor, Industrial and Rehabilitative Services)

HB 1642-FN-L, relative to persons executing election affidavits. (Bates, Rock. 7; Souza, Hills. 43; D. Brown, Graf. 16; Election Law)

HB 1644-FN, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. (Balcom, Hills. 21; Ebel, Merr. 5; Kidder, Merr. 5; Cordelli, Carr. 4; Rollo, Straf. 18; Grenier, Sull. 7; Ford, Graf. 3; Buco, Carr. 2; Verschueren, Straf. 13; Myler, Merr. 10; Stiles, Dist 24; Feltes, Dist 15; Watters, Dist 4; D'Allesandro, Dist 20; Education) HB 1645, relative to carrying a pistol or revolver without a license.(Spillane, Rock. 2; Duarte, Rock. 2; Tamburello, Rock. 5; Burt, Hills. 39; Avellani, Carr. 5; Rideout, Coos 7; Baldasaro, Rock. 5; Eastman, Hills. 28; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Criminal Justice and Public Safety)

HB 1646, relative to the disclosure of felony convictions by individuals seeking an elected office. (Chirichiello, Rock. 6; P. McCarthy, Hills. 29; Election Law)

HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. (Fromuth, Hills. 7; Schleien, Hills. 37; Hull, Graf. 9; Commerce and Consumer Affairs)

HB 1648-FN, relative to sales by pharmacists under the controlled drug act. (J. Ward, Rock. 19; Stiles, Dist 24; A. Christie, Rock. 37; Abrami, Rock. 19; Health, Human Services and Elderly Affairs) HB 1649-FN, relative to state inspection of new motor vehicles. (Spillane, Rock. 2; Tamburello, Rock. 5; Duarte, Rock. 2; C. McGuire, Merr. 29; Murphy, Hills. 7; Baldasaro, Rock. 5; Burt, Hills. 39; Rouillard, Hills. 6; Potucek, Rock. 6; Horn, Merr. 2; Whitehouse, Straf. 2; Reagan, Dist 17; Transportation)

HB 1650, relative to limits in table stakes poker. (Williams, Hills. 4; Almy, Graf. 13; Ways and Means) **HB 1651,** establishing a commission to study the collection of child abuse data. (Berrien, Rock. 18; Balcom, Hills. 21; LeBrun, Hills. 32; Sherman, Rock. 24; K. Rice, Hills. 37; Fothergill, Coos 1; Fuller Clark, Dist 21; Children and Family Law)

HB 1652-FN-A, establishing a teacher preparation for mathematics education scholarship program. (Gile, Merr. 27; Balcom, Hills. 21; Heath, Hills. 14; Education)

HB 1653-FN, establishing a citizen complaint and grievance website. (Brewster, Merr. 21; Legislative Administration)

HB 1654-FN, relative to flying drones near correctional facilities. (Cushing, Rock. 21; Fields, Belk. 4; Welch, Rock. 13; DiSesa, Straf. 16; Pantelakos, Rock. 25; Martin, Merr. 23; Berube, Straf. 18; O'Hearne, Sull. 3; Mangipudi, Hills. 35; Hirsch, Merr. 6; Soucy, Dist 18; Carson, Dist 14; Daniels, Dist 11; Criminal Justice and Public Safety)

HB 1655-FN, relative to registration fees for agricultural/industrial utility vehicles.(D. McGuire, Merr. 21; True, Rock. 4; Groen, Straf. 10; Scontsas, Hills. 30; Sanborn, Dist 9; Transportation)

HB 1656-FN, relative to exceptions to the real estate transfer tax. (D. McGuire, Merr. 21; Lovejoy, Rock. 36; Abrami, Rock. 19; Sanborn, Dist 9; Ways and Means)

HB 1657-FN, prohibiting firearms in certain public places. (Rogers, Merr. 28; Rollo, Straf. 18; Berch, Ches. 1; Burton, Straf. 6; Berrien, Rock. 18; C. Chase, Ches. 8; P. Brown, Hills. 31; Criminal Justice and Public Safety)

HB 1658-FN, establishing one-stop business permitting. (Kurk, Hills. 2; Executive Departments and Administration)

HB 1659, relative to the implementation of the clean power state implementation plan. (Vose, Rock. 9; D. Thomas, Rock. 5; Vadney, Belk. 2; Science, Technology and Energy)

HB 1660-FN-L, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure. (J. Belanger, Hills. 27; Flanagan, Hills. 26; Edelblut, Hills. 38; Emerson, Ches. 11; McConnell, Ches. 12; Eastman, Hills. 28; Sanborn, Dist 9; Judiciary)

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. (Schleien, Hills. 37; Zaricki, Hills. 6; Eastman, Hills. 28; Sad, Ches. 1; C. Roberts, Hills. 4; Horrigan, Straf. 6; Simpson, Rock. 18; Eaton, Ches. 3; J. Sweeney, Rock. 8; Health, Human Services and Elderly Affairs) HB 1662-FN, relative to abortion-inducing drugs. (Wuelper, Straf. 3; Murotake, Hills. 32; Itse, Rock. 10; Prudhomme-O'Brien, Rock. 6; Souza, Hills. 43; Gould, Hills. 7; Notter, Hills. 21; Cataldo, Dist 6; Health, Human Services and Elderly Affairs)

HB 1663-FN, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion. (Souza, Hills. 43; Gould, Hills. 7; Itse, Rock. 10; Notter, Hills. 21; Cordelli, Carr. 4; Gagne, Hills. 13; Groen, Straf. 10; Berube, Straf. 18; Wuelper, Straf. 3; Daniels, Dist 11; Judiciary) **HB 1664-FN**, relative to pharmacy benefit managers. (Luneau, Merr. 10; Myler, Merr. 10; Butler, Carr. 7; Feltes, Dist 15; Health, Human Services and Elderly Affairs)

HB 1665-FN, adopting the interstate medical licensure compact. (Sherman, Rock. 24; Fothergill, Coos 1; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1666-FN, relative to certain definitions in the motor vehicles law. (Goulette, Hills. 23; Spillane, Rock. 2; Transportation)

HB 1667-FN-L, repealing the statutes authorizing the department of education. (L. Christiansen, Hills. 37; Education)

HB 1668-FN, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. (Flanagan, Hills. 26; Emerson, Ches. 11; Health, Human Services and Elderly Affairs)

HB 1669-FN, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. (Abramson, Rock. 20; Legislative Administration)

HB 1670-FN, relative to public employee suggestions for cost-savings measures. (Flanagan, Hills. 26; Weyler, Rock. 13; Whitehouse, Straf. 2; L. Turcotte, Straf. 4; Sanborn, Dist 9; Finance)

HB 1671-FN, establishing an office of inspector general. (Marple, Merr. 24; Ingbretson, Graf. 15; Itse, Rock. 10; McClarren, Hills. 29; Lachance, Hills. 8; D. McGuire, Merr. 21; Executive Departments and Administration)

HB 1672-FN-A-L, relative to excess federal matching funds, property tax relief, and general fund appropriations. (Brewster, Merr. 21; Ways and Means)

HB 1673-FN-L, establishing cash balance plan within the state retirement system. (Hess, Merr. 24; Kurk, Hills. 2; Byron, Hills. 20; Special Committee on Public Employee Pension Plans)

HB 1674-FN, requiring the labeling of genetically engineered foods. (Abramson, Rock. 20; McConnell, Ches. 12; Environment and Agriculture)

HB 1675-FN-A, relative to the legalization and taxation of marijuana. (Brewster, Merr. 21; Criminal Justice and Public Safety)

HB 1676, relative to attachments on benefits under the judicial retirement plan. (Brewster, Merr.

21; Judiciary) **HB 1677-FN**, abolishing the supreme court general counsel position and the judicial council. (Brewster, Mer. 21: Judiciary)

Merr. 21; Judiciary) **HB 1678-FN**, relative to the information statement contained on a property tax bill. (Fromuth, Hills.

7; Biggie, Hills. 23; Municipal and County Government)

HB 1679-FN, relative to electioneering by a public official. (Lachance, Hills. 8; Election Law)

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Sherman, Rock. 24; Snow, Hills. 42; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1681-FN, relative to hypodermic syringes and needles containing trace amounts of controlled drugs. (Hannon, Straf. 25; Bouldin, Hills. 12; Edwards, Hills. 11; J. Frazer, Merr. 13; Wright, Carr. 8; J. Ward, Rock. 19; Avellani, Carr. 5; Biggie, Hills. 23; Hull, Graf. 9; C. McGuire, Merr. 29; Aldrich, Belk. 2; Simmons, Hills. 17; Butler, Carr. 7; Boutin, Dist 16; Watters, Dist 4; Health, Human Services and Elderly Affairs)

HB 1682-FN, relative to electioneering by public servants and relative to warrant articles. (Hull, Graf. 9; Election Law)

HB 1683-FN-L, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. (Hull, Graf. 9; Ammon, Hills. 40; Municipal and County Government)

HB 1684-FN, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Abramson, Rock. 20; Hull, Graf. 9; Seidel, Hills. 28; Moore, Hills. 21; Judiciary)

HB 1685-FN, relative to mortgage bankers, brokers, and services. (Butler, Carr. 7; Commerce and Consumer Affairs)

HB 1686-FN, repealing the community heritage investment program. (Ammon, Hills. 40; Osborne, Rock. 4; Aldrich, Belk. 2; Hoell, Merr. 23; Jones, Straf. 24; Finance)

HB 1687-L, relative to governmental liability for personal injury on playground structures. (Hopper, Hills. 2; Woodbury, Hills. 5; Carson, Dist 14; Judiciary)

HB 1688-FN-L, relative to governmental liability for negligence claims. (Woodbury, Hills. 5; Hopper, Hills. 2; Judiciary)

HB 1689, relative to operator requirements under the meals and rooms tax. (Sterling, Ches. 14; Chandler, Carr. 1; Chirichiello, Rock. 6; Ways and Means)

HB 1690-FN, extending the New Hampshire health protection program. (Sherman, Rock. 24; Rosenwald, Hills. 30; Weber, Ches. 1; Elliott, Rock. 8; Fothergill, Coos 1; Butler, Carr. 7; Berch, Ches. 1; Horrigan, Straf. 6; P. Brown, Hills. 31; Feltes, Dist 15; Fuller Clark, Dist 21; Health, Human Services and Elderly Affairs)

HB 1691-FN, making certain changes to the renewable portfolio standard. (Vose, Rock. 9; D. Thomas, Rock. 5; Vadney, Belk. 2; Fromuth, Hills. 7; Science, Technology and Energy)

HB 1692-FN, revising the procedures relating to parole violation and parole revocation. (Abrami, Rock. 19; J. Ward, Rock. 19; Criminal Justice and Public Safety)

HB 1693-FN-L, abolishing fluoridation in water. (Marple, Merr. 24; Eastman, Hills. 28; V. Fraser, Belk. 1; Itse, Rock. 10; Resources, Recreation and Development)

HB 1694-FN-A-L, relative to the legalization and regulation of marijuana. (Hirsch, Merr. 6; Lachance, Hills. 8; O'Connor, Rock. 6; Ratzki, Merr. 1; Criminal Justice and Public Safety)

HB 1695-FN, establishing an office of health services planning and review within the department of health and human services. (Sherman, Rock. 24; Health, Human Services and Elderly Affairs) HB 1696-FN, requesting a modification of the New Hampshire health protection program. (Lachance, Hills. 8; Leishman, Hills. 24; Hagan, Rock. 4; Richardson, Coos 4; S. Schmidt, Carr. 6; Umberger, Carr. 2; Elliott, Rock. 8; Bradley, Dist 3; Boutin, Dist 16; Stiles, Dist 24; Health, Human Services and Elderly Affairs)

HB 1697-FN, relative to the operation and insurance of transportation network companies. (Hunt, Ches. 11; J. Belanger, Hills. 27; Steven Smith, Sull. 11; Soucy, Dist 18; Fuller Clark, Dist 21; Transportation)

HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. (Abramson, Rock. 20; Duarte, Rock. 2; Lachance, Hills. 8; State-Federal Relations and Veterans Affairs) HCR 11, encouraging and commending the governor and council to open meetings of the council with an opening prayer. (Itse, Rock. 10; Souza, Hills. 43; Ulery, Hills. 37; DeLemus, Straf. 11; Rideout, Coos 7; Hill, Merr. 3; Seidel, Hills. 28; Ingbretson, Graf. 15; Executive Departments and Administration)

HCR 12, urging support of the 65/25 initiative in New Hampshire. (Burton, Straf. 6; Legislative Administration)

HJR 3, calling for the investigation and defunding of Planned Parenthood. (Groen, Straf. 10; Baldasaro, Rock. 5; DeLemus, Straf. 11; Berube, Straf. 18; Ulery, Hills. 37; V. Sullivan, Hills. 16; Souza, Hills. 43; Seidel, Hills. 28; Notter, Hills. 21; Moore, Hills. 21; Murotake, Hills. 2; Health, Human Services and Elderly Affairs)

HJR 4-FN-A, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. (Brewster, Merr. 21; Finance)

HJR 5-FN-A, making a payment to Joseph Haas for compensation for unlawful incarceration. (Brewster, Merr. 21; Finance)

HJR 6-FN-A, making a payment to compensate Edward Brown for an illegal action. (Brewster, Merr. 21; Finance)

HR 16, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. (McConnell, Ches. 12; Spang, Straf. 6; Estevez, Hills. 37; Phillips, Ches. 16; Eastman, Hills. 28; Timothy Smith, Hills. 17; Coffey, Hills. 25; Abramson, Rock. 20; Legislative Administration)

HR 17, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. (Brewster, Merr. 21; Judiciary)

HR 18, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. (Brewster, Merr. 21; Judiciary)

HR 19, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. (Brewster, Merr. 21; Judiciary)

HCACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. (Brewster, Merr. 21; Judiciary)

HCACR 14, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. (Emerson, Ches. 11; Suzanne Smith, Graf. 8; Burton, Straf. 6; Cooney, Graf. 8; Darrow, Graf. 17; Forrester, Dist 2; Legislative Administration)

HCACR 15, relating to the election of judges. Providing that judges be elected for specific terms. (Brewster, Merr. 21; Judiciary)

HCACR 16, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock. 10; Ingbretson, Graf. 15; Edelblut, Hills. 38; Hoell, Merr. 23; LeBrun, Hills. 32; Murotake, Hills. 32; Abramson, Rock. 20; Hull, Graf. 9; Avard, Dist 12; Children and Family Law)

HCACR 17, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. (Bates, Rock. 7; Flanagan, Hills. 26; Hinch, Hills. 21; Hoelzel, Rock. 3; Packard, Rock. 5; Hunt, Ches. 11; Chandler, Carr. 1; Hogan, Hills. 34; Hoell, Merr. 23; Cataldo, Dist 6; Election Law)

HCACR 18, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. (Gannon, Rock. 4; Luther, Belk. 3; Moody, Rock. 17; R. Christie, Hills. 6; Legislative Administration)

HCACR 19, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. (Hoell, Merr. 23; Itse, Rock. 10; Gould, Hills. 7; Ingbretson, Graf. 15; Abramson, Rock. 20; Souza, Hills. 43; Wuelper, Straf. 3; Murotake, Hills. 32; Avard, Dist 12; Legislative Administration)

HCACR 20, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. (Hoell, Merr. 23; Itse, Rock. 10; Ingbretson, Graf. 15; Legislative Administration)

HCACR 21, relating to the attorney general. Providing that the attorney general be elected to a 4-year term. (Sylvia, Belk. 6; McLean, Hills. 15; Executive Departments and Administration)

HCACR 22, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental and shall not be restricted unless the government demonstrates a compelling state interest. (Kurk, Hills. 2; Rouillard, Hills. 6; Whitehouse, Straf. 2; Daniels, Dist 11: Judiciary)

HCACR 23, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. (Hunt, Ches. 11; Chandler, Carr. 1; Election Law)

HCACR 24, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. (Itse, Rock. 10; Ingbretson, Graf. 15; Hoell, Merr. 23; Goulette, Hills. 23; Hull, Graf. 9; Spillane, Rock. 2; Aldrich, Belk. 2; Transportation) HCACR 25, relating to legislation. Providing that bills dealing with assessments, rates, and taxes

shall originate in the house of representatives. (Itse, Rock. 10; Hoell, Merr. 23; Ingbretson, Graf. 15; Legislative Administration)

MOTION TO DIVIDE

Rep. Hinch moved that **HB 1525-FN**, relative to the circumstances that constitute indecent exposure and lewdness, be divided from the introduction motion.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 160 NAYS 186

YEAS - 160 BELKNAP

Dumais, Russell LeBreche, Shari Vadney, Herbert	Fields, Dennis Luther, Robert Varney, Peter	Flanders, Donald Russell, David	Fraser, Valerie Tilton, Franklin
		CARROLL	
Avellani, Lino McCarthy, Frank	Chandler, Gene McConkey, Mark	Comeau, Ed Nelson, Bill	Crawford, Karel Parker, Harold

CHESHIRE

Hunt, John

Umberger, Karen

Ticehurst, Susan

COOS Fothergill, John Richardson, Herbert Rappaport, Laurence Rideout, Leon Tholl, John GRAFTON Bailey, Brad Brown, Duane Darrow, Stephen Gionet, Edmond Hennessey, Erin Hull, Robert Johnson, Eric Ladd, Rick HILLSBOROUGH Balcom, John Belanger, James Biggie, Barbara Boehm, Ralph Byron, Frank Christensen, Chris Christie. Rick Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Flanagan, Jack Gagne, Larry Gargasz, Carolyn Gould, Linda Goulette, William Griffin, Barbara Haefner, Robert Halstead, Carolyn Hansen, Peter Hinch, Richard Hogan, Edith Kurk, Neal LeBrun, Donald Marston, Dick McCarthy, Peggy McClarren, Donald Murotake, David Notter, Jeanine Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry Parison, James Pellegrino, Anthony Peterson, Ken Pierce. David Proulx, Mark Rouillard, Claire Rowe, Robert Souza, Kathleen Straight, Phillip Takesian, Charlene Twombly, Timothy Ulery, Jordan Wolf, Terry MERRIMACK French, Harold Henle, Paul Hess. David Hill, Gregory Horn, Werner Kidder, David Kotowski, Frank Long, Douglas Marple, Richard Parent, Jason Walsh, Thomas ROCKINGHAM Abrami, Patrick Allen, Mary Azarian, Garv Barnes, Arthur Belanger, Ronald Borden, David Bush, Carol Cardon, G. Thomas Chase, Francis Chirichiello, Brian Christie, Andrew Cook, Allen DeSimone, Debra Devine, James Duarte, Joe Emerick, J. Tracv Ferrante, Beverly Fesh. Robert Gannon, William Friel, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Katsakiores, Phyllis Kolodziej, Walter Matthews, Carolyn McKinney, Betsy Milz, David O'Connor, John Oligny, Jeffrey Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Sweeney, Joe Sytek, John Thomas, Douglas Tilton, Rio Tucker, Pamela Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth Woitkun, Steven STRAFFORD Berube, Roger Cheney, Catherine Gardner, Janice Graham, Robert Grav. James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Pitre, Joseph Whitehouse, Joshua Wuelper, Kurt **SULLIVAN** Grenier, James Laware, Thomas Rollins, Skip Smith, Steven NAYS - 186 BELKNAP Aldrich, Glen Gallagher, Brian Howard, Jr., Raymond Hurt, George Spanos, Peter CARROLL Buco, Thomas Butler, Edward Cordelli, Glenn

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Phillips, Larry Shepardson, Marjorie Weber, Lucy

Ames, Richard Eaton, Daniel McConnell, James Roberts, Kris Sterling, Franklin Berch, Paul Johnsen, Gladys Parkhurst, Henry Robertson, Timothy Tatro, Bruce

Bordenet, John Ley, Douglas Pearson, William Sad, Tara Tilton, Benjamin

COOS

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard Ford, Susan Nordgren, Sharon Sykes, George Almy, Susan Hennessey, Martha Piper, Wendy Townsend, Charles Brown, Chris Maes, Kevin Shackett, Jeffrey White, Andrew

Cooney, Mary Massimilla, Linda Smith, Suzanne

HILLSBOROUGH

Adams, Christopher Beaulieu, Jane Cohen, Alan Edwards, Elizabeth Gidge, Kenneth Hansberry, Daniel Hopper, Gary Mangipudi, Latha Moore, Josh Rice, Kimberly Schleien, Eric Smith, Gregory Ammon, Keith Bouldin, Amanda Cornell, Patricia Estevez, Eric Goley, Jeffrey Harvey, Suzanne Jack, Martin Manley, Jonathan O'Brien, Michael Roberts, Carol Scontsas, Lisa Snow, Kendall Walsh. Robert Backus, Robert
Brown, Pamela
Cote, David
Forest, Armand
Gorman, Mary
Heath, Mary
Lachance, Joseph
McLean, Mark
O'Neil, William
Rosenwald, Cindy
Shattuck, Gilman
Soucy, Timothy
Williams, Kermit

Baroody, Benjamin Burt, John DiSilvestro, Linda Freitas, Mary Guerette, C. Lee Herbert, Christopher Long, Patrick McNamara, Richard Porter, Marjorie Sanborn, Laurie Simmons, Tammy Sullivan, Victoria Woodbury, David

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Karrick, David MacKay, James Moffett, Howard Rice, Chip Seaworth, Brian Wheeler, Deborah

Vann, Ivy

Bartlett, Christy Deloge, Helen French, Barbara Kenison, Linda Martin, John Myler, Mel Rogers, Katherine Shurtleff, Stephen Bradley, Paula Doherty, David Gile, Mary Kuch, Bill McGuire, Carol Patten, Dick Saunderson, George Turcotte, Alan Brewster, Michael Ebel, Karen Hoell, J.R. Luneau, David McGuire, Dan Ratzki, Mario Schuett, Dianne Wallner, Mary Jane

ROCKINGHAM

Baldasaro, Alfred Cali-Pitts, Jacqueline Elliott, Robert Itse, Daniel McBeath, Rebecca Osborne, Jason Simpson, Alexis Ward, Gerald

Cushing, Robert Francese, Paula Kappler, Lawrence McMahon, Charles Pantelakos, Laura Spillane, James

Bates, David

Berrien, Skip Dean-Bailey, Yvonne Gordon, Pamela Lovejoy, Patricia Moody, Marcia Schroadter, Adam Tamburello, Daniel Cahill, Michael DiFranco, Debbie Heffron, Frank Lundgren, David Nigrello, Robert Sherman, Thomas Tasker, Kyle

STRAFFORD

Baber, William Cilley, Jacalyn Rollo, Deanna Treleaven, Susan Bickford, David DeLemus, Susan Schmidt, Peter Turcotte, Leonard Bixby, Peter Horrigan, Timothy Smith, Marjorie Wall, Janet Burton, Wayne Kaen, Naida Spang, Judith Ward, Kenneth

SULLIVAN

Cloutier, John Irwin, Virginia Converse, Larry Oxenham, Lee Gagnon, Raymond Schmidt, Andrew Gottling, Suzanne

and the motion failed.

The question now being adoption of the introduction motion. Motion adopted.

CLERK'S NOTE

The following House Bills were withdrawn by the sponsors and therefore not introduced: House Bills 1110, 1173, 1185, 1312, 1334, 1487, 1609 and 1643.

MOTION TO VACATE

Rep. Hess moved that the House vacate the reference of **HB 1591-FN-A**, relative to the health care premium contribution for retired public employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services, and **HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits and making an appropriation to the department of administrative services, to the Special Committee on Public Employees Pension Plans. Motion adopted.

The Speaker referred HB 1591-FN-A and HB 1592-FN to the Committee on Finance.

MOTION TO VACATE

Rep. Hunt moved that the House vacate the reference of **HB 1548-FN**, prohibiting the trade of shark fins, to the Committee on Commerce and Consumer Affairs.

Motion adopted.

The Speaker referred HB 1548-FN to the Committee on Fish and Game and Marine Resources.

The Speaker addressed the House.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by the Speaker be printed in the Permanent Journal. Rep. Prudhomme-O'Brien requested a roll call; sufficiently seconded.

YEAS 313 NAYS 41

YEAS - 313 BELKNAP

Dumais, Russell
Gallagher, Brian
Russell, David
Varney, Peter

Fields, Dennis Hurt, George Spanos, Peter

Flanders, Donald LeBreche, Shari Tilton, Franklin Fraser, Valerie Luther, Robert Vadney, Herbert

CARROLL

Buco, Thomas				
Cordelli, Glenn				
Nelson, Bill				

Butler, Edward Crawford, Karel Parker, Harold Chandler, Gene McCarthy, Frank Ticehurst, Susan Comeau, Ed McConkey, Mark Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin Berch, Paul Hunt, John Parkhurst, Henry Robertson, Timothy Tatro, Bruce

Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin

COOS

Fothergill, John Froburg
Richardson, Herbert Theberg

Froburg, Alethea Theberge, Robert Moynihan, Wayne Tholl, John Rappaport, Laurence Thomas, Yvonne

GRAFTON

Abel, Richard Brown, Duane Ford, Susan Ladd, Rick Piper, Wendy Townsend, Charles Almy, Susan Brown, Rebecca Gionet, Edmond Maes, Kevin Shackett, Jeffrey White, Andrew Bailey, Brad Cooney, Mary Hennessey, Erin Massimilla, Linda Smith, Suzanne

Brown, Chris Darrow, Stephen Hennessey, Martha Nordgren, Sharon Sykes, George

HILLSBOROUGH

Adams, Christopher Beaulieu, Jane Bouldin, Amanda Christensen, Chris Cote. David Eastman, Eric Ferreira, Elizabeth Gagne, Larry Gorman, Mary Haefner, Robert Heath, Mary Jack, Martin Long, Patrick McCarthy, Peggy Moore, Josh O'Neil, William Palmer, Barry Pierce, David Rosenwald, Cindy Shattuck, Gilman Souza, Kathleen

Backus, Robert Belanger, James Brown, Pamela Coffey, James Danielson, David Edelblut, Frank Flanagan, Jack Gargasz, Carolyn Gould, Linda Hansberry, Daniel Herbert, Christopher Kurk, Neal Mangipudi, Latha McClarren, Donald Murotake, David Ober, Lynne Parison, James Porter, Marjorie Rouillard, Claire Smith, Gregory Straight, Phillip Twombly, Timothy Wolf, Terry

Balcom, John Biggie, Barbara Burt, John Cohen, Alan DiSilvestro, Linda Edwards, Elizabeth Forest, Armand Gidge, Kenneth Griffin, Barbara Hansen, Peter Hinch, Richard LeBrun, Donald Manley, Jonathan McLean, Mark Murphy, Keith Ober, Russell Pellegrino, Anthony Proulx, Mark Rowe, Robert Snow, Kendall Sullivan, Daniel Vann, Ivv Woodbury, David

Baroody, Benjamin Booras, Efstathia Byron, Frank Cornell, Patricia Donovan, Daniel Estevez, Eric Freitas, Mary Golev, Jeffrey Guerette, C. Lee Harvey, Suzanne Hopper, Gary Leishman, Peter Marston, Dick McNamara, Richard O'Brien, Michael Ohm, Bill Peterson, Ken Roberts, Carol Schleien, Eric Soucy, Timothy Sullivan, Victoria Walsh, Robert Zaricki, Nick

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hess, David Kidder, David Luneau, David Moffett, Howard Ratzki, Mario Schuett, Dianne Wallner, Mary Jane

Takesian, Charlene

Williams, Kermit

Bartlett, Christy Doherty, David French, Harold Hill, Gregory Kotowski, Frank MacKay, James Myler, Mel Rice, Chip Seaworth, Brian Walsh, Thomas Bradley, Paula Ebel, Karen Gile, Mary Karrick, David Kuch, Bill Marple, Richard Parent, Jason Rogers, Katherine Shurtleff, Stephen Wheeler, Deborah

Carson, Clyde Frazer, June Henle, Paul Kenison, Linda Long, Douglas McGuire, Dan Patten, Dick Saunderson, George Turcotte. Alan

ROCKINGHAM

Abrami, Patrick Bates, David Bush, Carol Chase, Francis Cushing, Robert Doucette, Fred Allen, Mary Belanger, Ronald Cahill, Michael Chirichiello, Brian DeSimone, Debra Duarte, Joe Azarian, Gary Berrien, Skip Cali-Pitts, Jacqueline Christie, Andrew Devine, James Elliott, Robert Barnes, Arthur Borden, David Cardon, G. Thomas Cook, Allen DiFranco, Debbie Emerick, J. Tracy

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Woitkun, Steven	COT	D. LEECOND	
		RAFFORD	District Dates
Baber, William Burton, Wayne Graham, Robert Kaczynski, Jr., Thomas Pitre, Joseph Spang, Judith Ward, Kenneth	Berube, Roger Cheney, Catherine Gray, James Kaen, Naida Rollo, Deanna Stevens, Audrey Wuelper, Kurt	Bickford, David Cilley, Jacalyn Hannon, Joseph Leeman, Don Schmidt, Peter Treleaven, Susan	Bixby, Peter Gardner, Janice Horrigan, Timothy Mullen, John Smith, Marjorie Wall, Janet
	S	ULLIVAN	
Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia Schmidt, Andrew	Gagnon, Raymond Laware, Thomas Smith, Steven	Gottling, Suzanne Oxenham, Lee
	_	NAYS - 41 BELKNAP	
Aldrich, Glen	Howard, Jr., Raymond	ELKNAI	
Addion, dien			
	C	CARROLL	
Avellani, Lino			
	C	HESHIRE	
McConnell, James			
		COOS	
Rideout, Leon		COOD	
riidodat, Edori	_		
	_	GRAFTON	
Hull, Robert	Johnson, Eric		
	HILI	LSBOROUGH	
Ammon, Keith Halstead, Carolyn Rice, Kimberly Ulery, Jordan	Boehm, Ralph Hogan, Edith Sanborn, Laurie	Christie, Rick Lachance, Joseph Scontsas, Lisa	Goulette, William Notter, Jeanine Simmons, Tammy
	MF	ERRIMACK	
Brewster, Michael McGuire, Carol	Hoell, J.R.	Horn, Werner	Martin, John
	RO	CKINGHAM	

Dean-Bailey, Yvonne

Itse, Daniel

Prudhomme-O'Brien, Katherine Rice, Frederick

Gordon, Richard

Kolodziej, Walter

Tamburello, Daniel

Green, Dennis

Osborne, Jason

Baldasaro, Alfred

Hodgdon, Bruce

STRAFFORD

DeLemus, Susan Groen, Warren Whitehouse, Joshua and the motion was adopted.

Jones, Laura

Turcotte, Leonard

REMARKS

Speaker Jasper: Before we move into the regular business of the House, I have a few remarks that I would like to open with. First, I want to thank and recognize the members who gave up so much of their time during the holiday season to serve on the joint task force (to combat the heroin and opioid crisis). I must say I was surprised and very pleased by the number of members who volunteered to serve on that committee. I think we can recall that during the debate on forming the task force that we were told by some that this task force would accomplish little or nothing. I personally think that nothing could be further from the truth, and we will see the results of their efforts very shortly. The second thing I'd like to talk about is behavior. I view the speaker's job, in no small part, to be one of protecting and preserving the reputation of this House, this institution that has been in existence in New Hampshire for centuries, and where thousands and thousands of citizens have served over those centuries. We, more importantly, have a responsibility to act with dignity, and to act with respect, because we represent not only ourselves, but our constituents, and, in fact, the entire state of New Hampshire. When we make comments, no one thinks, "Well, that's just an individual." They think of you, and myself as being a state representative. They think of you or I not representing our district but representing this body, and thus the entire state. I recognize that probably my remarks will fall on deaf ears in some cases, unfortunately. So I am going to speak to all of you, the vast majority of you who have been upholding the dignity of this institution, and promoting the well-being and reputation of this state, particularly at a time when the eyes of the nation are upon us. When virtually every news media from across the country is here on a daily basis to cover the firstin-the-nation primary. What can you do as individuals? What can I do as an individual? We can privately and sincerely and politely speak to our colleagues when they step out of line and go beyond the bounds of decency and respect. We can let them know when we believe they are not representing this institution well. That's a hard thing to do. But isn't that a problem in society today, in general, that no one wants to politely step up and say, "This is not the way to behave. This is not the way to accomplish your goals"? I hope that we can think about that. I hope that we can realize that when we take off our name badges, we are still, in fact, state representatives - each and every one of us. We can never separate ourselves from that title of "Honorable." I ask everyone to think about that because every minute of every day, that is your title: honorable. You have a responsibility to act, at all times, honorably. We must and we should hold each other to those standards if this institution is to have the respect that it has had for centuries. I want to thank you for taking the time to listen politely and hope that you will carry my message forward to all of your colleagues in the House, and that we won't be seen in a negative light in the national news or local news again this session. Thank you very much.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 211, establishing a commission to study domestic affairs, removed by Rep. Brewster.

HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues, removed by Rep. Brewster.

HB 405-FN, requiring the department of health and human services to license supervised visitation centers, removed by Rep. Oligny.

SB 219-FN, relative to breastfeeding, removed by Rep. Barbara Griffin.

HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives, removed by Rep. Marple.

HCACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund, removed by Rep. Hoell.

HB 585-FN-A, relative to fines for violation of alcoholic beverage laws, removed by Rep. Hoell.

HB 668-FN, relative to expense deductions under the business profits tax, removed by Rep. Hoell. Consent Calendar adopted.

HB 249, relative to the award of alimony and the enforcement of orders under RSA 458. **REFER FOR INTERIM STUDY.**

Rep. Debra DeSimone for Children and Family Law. After significant work on this bill, the committee believes that the proposed amendment is not ready for prime time and needs more input from stakeholders. Due to time constraints and recognizing that more work needs to be done on this important issue, the committee recommends interim study. Vote 16-0.

HB 114, relative to grocery sales by stores licensed to sell alcoholic beverages. OUGHT TO PASS WITH AMENDMENT.

Rep. Bart Fromuth for Commerce and Consumer Affairs. Originally, this bill repealed the requirement that grocery stores and convenience stores maintain a certain inventory of food in order to be licensed to sell alcoholic beverages. The bill's sponsor felt that the food requirement was outdated, arbitrary, and led to a cost for store owners who wanted to sell beer only, with no discernable benefit to the state or the public. While many of the members of the committee agreed with the prime sponsor, it was felt that a specialty beer store license may be a more appropriate avenue to remedy the issue. Under the committee amendment to this legislation, any store owner who wishes to sell beer items without the food requirement may now do so, provided that they stock a variety of 400 or more beer labels. This amendment was supported by beer store owners, almost all committee members, and specialty beer drinkers everywhere. The only opponents were the NH Grocers Association and the NH Liquor Commission. They felt strongly that pairing alcohol with food items has been the law since Prohibition and was fundamental to the fabric of a stable society. It is of note that the state liquor stores do not have this requirement. Vote 18-2.

Amendment (2453h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing beer specialty licenses.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Beer Specialty License. Amend RSA 178 by inserting after section 19-c the following new section:

178:19-d Beer Specialty License.

- I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, and tobacco products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as commission may by rule prescribe.
 - II. Beer specialty licensees shall maintain an inventory of 400 or more selection of beer labels.
- III. The commission may establish restrictions on the number of beer specialty licenses held by any person.
- IV. All sales of beer and tobacco products shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.
- V. The commission may suspend the tobacco or alcohol sales portion of the license separately under the provisions of RSA 179:57.
- 2 New Subparagraph; Fees. Amend RSA 178:29, II by inserting after subparagraph (c) the following new subparagraph:
 - (d) Beer specialty:
 - (1) 1 register \$480
 - (2) 2-3 registers \$660
 - (3) 4 or more registers \$876
 - 3 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill establishes beer specialty licenses for retail sales at eligible outlets for off-premises consumption.

HB 327, relative to investment crowdfunding. REFER FOR INTERIM STUDY.

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would allow New Hampshire-based business to raise equity funds via crowdfunding. Crowdfunding is a method of raising money for a project or venture by collecting small sums from many people, usually on the internet. While the committee is intrigued with the concept and recognizes that internet-based investing will become increasingly popular in the future, we felt there were too many unknowns and unsolved problems to proceed with this bill. The bill would have limited participants to "qualified" investors from New Hampshire. Like most internet activity, crowdfunding is a virtual activity that ignores state boundaries and the federal government has made no mechanism to allow crowdfunding securities. There could be many sales portals in the state. The Bureau of Securities Regulation in the Secretary of State's office would be called on to manage the process, a task they are not prepared for. All of these issues and others caused us to vote for Interim Study on this interesting idea. Vote 19-0.

HB 356, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph Hannon for Commerce and Consumer Affairs. This bill, as amended, establishes a commission to study the regulation of crypto currency in New Hampshire. Due to ongoing conflicting and evolving classifications of crypto currency from several federal agencies, it was deemed necessary to study the industry on an ongoing basis over the next 5 years. This commission will study whether the industry requires regulation at the state level in New Hampshire and will propose any legislation deemed necessary. Vote 18-2.

Amendment (2534h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study cryptocurrency regulation.

1 New Subdivision; Commission to Study Cryptocurrency Regulation. Amend RSA 399-G by inserting after section 24 the following new subdivision:

Commission to Study Cryptocurrency Regulation

399-G:25 Commission to Study Cryptocurrency Established.

- I. There is established a commission to study cryptocurrency regulation.
- II. The members of the commission shall be as follows:
- (a) Three members of the house of representatives, appointed as follows: one member appointed by the speaker of the house of representatives, one member from the commerce committee appointed by the chair of the commerce committee, and one member of the ways and means committee, appointed by the chair of the ways and means committee.
 - (b) One member of the senate, appointed by the president of the senate.
 - (c) The banking commissioner, or designee.
 - (d) The director of the bureau of New Hampshire securities, or designee.
 - (e) One representative of the cryptocurrency industry, appointed by the governor.
- III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- IV. The commission shall study whether regulation of the cryptocurrency industry is necessary in New Hampshire.
- V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.
- VI. The commission shall annually report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1.
 - 2 Repeal. RSA 399-G:25, relative to the commission to study crytpocurrency regulation, is repealed.
 - 3 Effective Date.
 - I. Section 2 of this act shall take effect November 1, 2021.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a commission to study the regulation of the cryptocurrency industry.

HB 366, relative to the alcohol percentage used to classify beverages. INEXPEDIENT TO LEGISLATE.

Rep. John Hunt for Commerce and Consumer Affairs. This bill was introduced to increase the permissible alcohol content of beverages, liquors and specialty beers under the NH Liquor Laws. SB 93, which took effect on June 19, 2015, allows the Liquor Commission to approve fermented malt beverages with alcohol levels up to 8%. This narrower change fulfilled the intent of HB 366. Therefore, the committee agreed that this bill is not necessary. Vote 20-0.

HB 596-FN-L, relative to health insurance plans of public employers. INEXPEDIENT TO LEGISLATE.

Rep. Joseph Hannon for Commerce and Consumer Affairs. This bill declares that the state, or any political subdivision of the state, shall not offer its employees any health care plan subject to the excise tax under the Patient Protection and Affordable Care Act unless the extra expense arising from such tax is borne by the plan participants. This bill is not necessary because it was essentially passed in HB 2 earlier this year. Vote 19-0.

HB 672-FN, establishing a state bank. REFER FOR INTERIM STUDY.

Rep. Valerie Fraser for Commerce and Consumer Affairs. Establishing a bank in the public interest is a very complicated subject and the committee agreed that it should be studied further. This bill would not "expand government" but rather, with its fiduciary responsibility, use the federal reserve debt system so that the state can create its own money through loans. This would permit the state to keep the approximately \$77 million paid in interest on bonds and loans every year and use it to benefit the people of NH. Vote 19-1.

SB 64, relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill, as adopted by the Senate, added rulemaking authority for the Pharmacy Board concerning complaints relative to the price of filling prescriptions paid by a pharmacy benefits manager or insurer. The bill also added authority for the Insurance Department to adopt rules for the enforcement of requirements for the price of filling prescriptions. The amendment removes the Insurance Department authority for adopting rules because it is not necessary; the department already has this authority. The amendment, however, clarifies the process for paying for filling prescriptions of covered persons. Vote 19-0.

Amendment (1308h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Pharmacists and Pharmacies; Filling Prescriptions; Rulemaking Added. Amend RSA 318:5-a by inserting after paragraph XVIII the following new paragraph:

XIX. Establishing procedures to receive complaints of violations of RSA 415:6-aaa and RSA 420-J:7-b, X. Such rules shall include:

- (a) Criteria and procedures to refer complaints to the insurance department.
- (b) Methods for tracking the status of complaints referred to the insurance department and receiving department of insurance reports on the status.
- (c) Procedures for reporting to the senate president, the speaker of the house of representatives, and the chairpersons of the house and senate committees with oversight of pharmacy benefit manager regulation the number of complaints received, the number and nature of complaints referred to the insurance department, and the status of referred complaints.
- 2 New Section; Filling Prescriptions; Individual. Amend RSA 415 by inserting after section 6-aa the following new section:
 - 415:6-aaa Filling Prescriptions.
- I. A pharmacy benefits manager or health carrier shall require that a covered person pay the lesser of the amount charged by the pharmacy for filling the prescription, the provider specified contract payment amount, or the covered person's benefit copayment.
- II. Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager

or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

3 New Paragraph; Managed Care; Filling Prescriptions. Amend RSA 420-J:7-b by inserting after

paragraph IX the following new paragraph:

X.(a) Every health benefit plan that provides prescription drug benefits shall require that a covered person pay the lesser of the amount charged by the pharmacy filling the prescription, the provider specified contract payment amount, or the covered person's benefit copayment.

(b) Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

4 New Paragraph; Managed Care; Provider Contract Standards. Amend RSA 420-J:8 by inserting

after paragraph XIV the following new paragraph:

XV.(a) A pharmacy benefits manager or health carrier shall prohibit a pharmacy from collecting more from the covered person than the lesser of the amount charged by the pharmacy for filling the prescription, the specified contract payment amount, or the covered person's benefit copayment.

- (b) Once a pharmacy benefit manager or health carrier has settled a claim for filling a prescription for a covered person and notified the pharmacy of the amount the pharmacy benefits manager or health carrier will pay to the pharmacy for that prescription, the pharmacy benefits manager or health carrier shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the health carrier for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.
 - 5 Repeal. RSA 318:47-h, relative to the price of filling prescriptions, is repealed.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill clarifies the process of paying for filling prescriptions for covered persons. The bill also adds authority for the pharmacy board to adopt rules for enforcement of requirements for the price of filling prescriptions.

SB 115-FN, relative to the resale of condominium and subdivision time shares. INEXPEDIENT TO LEGISLATE.

Rep. Harold French for Commerce and Consumer Affairs. This bill was intended to address fraudulent practices that have developed in the timeshare and condominium resale market. After considering the bill and several amendments, the committee believes that this type of legislation could lead to unintended consequences. In addition, we have learned that industry leaders are working toward resolving the issues covered in this legislation within their own business transactions. As the problems they were trying to address were created by their business practices, the committee felt it best for them to resolve it without legislative intervention. Vote 19-0.

SB 137, relative to cost-sharing parity for oral anti-cancer therapies. INEXPEDIENT TO LEGISLATE.

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill was introduced to establish cost-sharing parity for anti-cancer medication that is administered by a patient, and anti-cancer medication that is administered by a health care provider. This issue was addressed in a nongermane amendment that was added to HB 508 in the Senate. That bill was further amended in committee of conference to address concerns raised in the House, and it was signed into law in July. Therefore, there is no need for SB 137. Vote 19-0.

HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**.

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill was one of two retained by the committee that dealt with the subject of police worn body cameras. The committee decided to recommend Inexpedient to Legislate on this bill and to include recommendations for policy for the legislature to adopt in the other bill, HB 617. Vote 15-2.

HB 243, changing the definitions of "focus school" and "priority school" in the school performance and accountability law. INEXPEDIENT TO LEGISLATE.

Rep. James Grenier for Education. This bill changes the definitions of "focus school" and "priority school" in the school performance and accountability law. The Department of Education has stated the method of reporting will be changed. The bill is no longer needed. Vote 20-0.

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. OUGHT TO PASS WITH AMENDMENT. Rep. Rick Ladd for Education. The bill, as amended, codifies the current funding practice of paying special education services in charter public schools. Within the school adequacy funding formula, charter public schools receive base adequacy and \$2,000 per pupil for the differentiated aid categories: free and reduced meals, English language learners, and third grade reading. The differentiated aid amount for special education service per pupil is sent directly to the resident district. The resident district is responsible for special education services and the paying of those services in the charter public school. The resident district has authority to raise revenue through taxes, whereas the charter public school does not. Any revenue received from the federal Individuals with Disabilities Education Act is sent to the school districts. A resident district is the traditional school district within whose boundaries the child's parents live. This is a housekeeping measure and puts into law funding practices that the Department of Education is currently following. Vote 19-0.

Amendment (2523h)

Amend the bill by replacing sections 1-2 with the following:

- 1 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:
- (b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, *I*, *II*, and *II*-a plus an additional grant of \$2,000 directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. The state shall pay amounts required pursuant to RSA 198:40-a, III directly to the resident district.
 - 2 Chartered Public Schools; Funding. Amend RSA 194-B:11, IV to read as follows:
- IV. [Any] Federal or other funding available in any year to a sending district shall, to the extent and in a manner acceptable to the funding source, be directed to a chartered public school in a receiving district on an eligible per pupil basis. This funding shall include, but not be limited to, funding under federal Chapters I and II of Title II, and Drug-Free Schools, in whatever form the funding is available in any year. This paragraph shall not apply to funding available to school districts under the federal Individuals with Disabilities Education Act.

 Referred to the Committee on Finance.

HB 581-FN, requiring schools to continue the education of a child during the child's suspension or expulsion. REFER FOR INTERIM STUDY.

Rep. Ralph Boehm for Education. The committee agreed that this bill dealing with suspensions and expulsions needed more study. Questions generated by the committee need to be answered with possible legislation to follow. Vote 19-0.

HB 110, relative to placement of political advertising. OUGHT TO PASS WITH AMENDMENT. Rep. William Gannon for Election Law. Currently, it is not legal to place or affix political advertising on public or private property without the consent of the owner at any time. As amended, this bill is intended to permit political advertisements to be placed within in an authorized campaign area at the polling place on Election Day only. It requires the moderator or the governing body to provide consent for the placement of advertising within the curtilage or parking area of a polling place. Curtilage includes the building of the polling place, paths, roadways, trees, poles and other items and lesser buildings on it, including the land immediately surrounding it, and any closely associated area of land that is used in its daily activity. Vote 19-0.

Amendment (2395h)

Amend the bill by replacing section 1 with the following:

- 1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:
- 664:17 Placement and Removal of Political Advertising.
- I. No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. [All political advertising

shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.] Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes.

II. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate

who is a winner in the primary.

III. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except for removal by the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept until one week after the election at a place designated by the state, city, or town so that the candidate may retrieve the items.

IV. On election day, no political advertising shall be placed within the curtilage or parking area of any polling place without the governing body's or moderator's consent.

AMENDED ANALYSIS

This bill specifies that political advertising within the curtilage or parking area of any polling place requires the governing body's or moderator's consent.

HB 312, relative to registration of voters. INEXPEDIENT TO LEGISLATE.

Rep. Adam Schroadter for Election Law. This bill establishes a deed or lease as presumptive evidence of domicile for persons registering to vote. The NH Constitution was amended in 1976 to state: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the preceding 1974 Constitutional Convention voted to make domicile a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in NH elections. It was deemed that a person may have multiple residences at one time, but only one domicile. For example, a domiciliary of Massachusetts, who owns a second residence on one of NH's lakes, could meet the residency requirements for both a Massachusetts driver's license and a NH boating license. Furthermore, one can own or rent property and not be domiciled in that property's voting district. Existing statute already empowers election officials to deem forms of proof of domicile not specifically listed in statute to be reasonable. For these reasons, the committee concluded that HB 312 should not become law. Vote 19-0.

HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. **REFER FOR INTERIM STUDY.**

Rep. Marcia Moody for Election Law. This bill requires registration as a lobbyist for a partnership, firm, or corporation which promotes or distributes model acts to New Hampshire elected officials, and requires the elected official to report any compensation, honorariums, meals, beverages, lodging, transportation, or reimbursement for his or her attendance at a conference, meeting, or event for the legislative adoption of one or more model acts. In order to discuss fully the merits of an amendment to this bill, a hearing should be held by an interim study committee because the amendment is intended to replace the entire bill. It deserves a public hearing. Vote 19-0.

HB 589-FN, relative to prohibited coercion of political contributions. INEXPEDIENT TO LEGISLATE.

Rep. James Gray for Election Law. This bill would clarify the language in existing law as it relates to coercion of political contributions. After testimony that no violations of this statute have been prosecuted in recent years, the committee believes that the existing law should remain unchanged. Vote 19-0.

HB 659-FN-L, allowing all voters to vote by absentee ballot. OUGHT TO PASS WITH AMENDMENT.

Rep. James Gray for Election Law. This bill would allow any voter to obtain an absentee ballot. The committee heard testimony from parents of small children and caregivers about the major disruption caused by their inability to meet the criteria to obtain an absentee ballot. The committee did not agree with allowing all voters to vote by absentee ballot. However, a majority agreed that we should expand the provision permitting a person to vote by absentee ballot if an employment obligation keeps them from getting to the polls to include people who are caring for children and infirm adults, with or without compensation. Vote 17-2.

Amendment (2496h)

Amend the title of the bill by replacing it with the following:

relative to eligibility for an absentee ballot.

Amend the bill by replacing all after the enacting clause with the following:

1 Absentee Voting; Eligibility. Amend RSA 657:1 to read as follows:

657:1 Absence, Religious Observance, and Disability Absentee Voting. Any person who is absent on the day of any state election from the city, town, or unincorporated place in which he or she is registered to vote or who cannot appear in public on any election day because of his or her observance of a religious commitment or who is unable to vote there in person by reason of physical disability may vote at such elections as provided in this chapter. A person who is unable to appear at any time during polling hours at his or her polling place because of an employment obligation requires the person to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close] shall be considered absent for purposes of this chapter. For the purposes of this section, the term "employment" shall include the care of children and infirmed adults, with or without compensation.

2 Absentee Voting; Forms. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability: I hereby declare that (check one): ___ I am a duly qualified voter who is currently registered to vote in this town/ward. I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary

for absentee voter registration be sent to me with the absentee ballot. I will be entitled to vote by absentee ballot because (check one):

I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

__ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

___ I cannot appear in public on election day because of observance of a religious commitment.

___ I am unable to vote in person due to a disability.

I cannot appear at any time during polling hours at my polling place because of an employment obligation [requires me to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close]. For the purposes of this application, the term "employment" shall include the care of children and infirmed adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

___ Presidential Primary to be held on _

(MM/DD/YYYY)

(The date may appear as blank when the date is not known.) State Primary to be held on
(MM/DD/YYYY)
General Election
For primary elections, I am a member of or I am now declaring my affiliation with the (check one):
Republican Party
Democratic Party
and am requesting a ballot for that party's primary.
Please print:
Applicant's Name:
(Last) (First) (Middle) (Sr., Jr., II., III)
Applicant's Voting Domicile (home address):
(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)
Mail the ballot to me at this address (if different than the home address):
(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)
Applicant's Signature:
The applicant must sign this form to receive an absentee ballot.
Date Signed:
(MM/DD/YYYY)
3 Absentee Voting; Materials. Amend RSA 657:7, II(a) to read as follows:
(a) Absence from City or Town. A person voting by absentee ballot because of absence from
the city or town in which he or she is entitled to vote shall fill out and sign the following certificate:
I do hereby certify under the penalties for voting fraud set forth below that I am a voter in the
city or town of, New Hampshire, in ward; that I will be unable to appear at any time during polling hours at my polling place because I will be working on election
day or will be otherwise absent on election day from said city or town and will be unable to vote in
person; that I have carefully read (or had read to me because I am blind) the instructions forwarded
to me with the ballot herein enclosed, and that I personally marked the ballot within and sealed
it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because
I am blind). For the purposes of this certification the term "working" shall include the care of
children and infirmed adults, with or without compensation.
(Signature)
In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false in-
formation when registering to vote or voting is a class A misdemeanor with a maximum sentence
of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.
4 Town Elections; Absentee Voting. Amend RSA 669:26 to read as follows:
669:26 Absentee Voting. Every town which has adopted an official ballot system for town elec-
tions as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any eligible voter
who is absent from such a town on the day of a town election, or who cannot appear in public on
election day because of his or her observance of a religious commitment, or who, by reason of
physical disability, is unable to vote in person may vote at a town election in accordance with the
provisions of this section and RSA 669:27-669:29. A person who is unable to appear at any time
during polling hours at his or her polling place because of an employment obligation [requires the
person to remain physically at work or to be in transit to or from work from the time the polls open

until after the time the polls close] shall be considered absent for purposes of this section and RSA 669:27-669:29. For the purposes of this section the term "employment" shall include the care of

children and infirmed adults, with or without compensation.

5 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill modifies what constitutes an employment obligation for purposes of absentee voting.

HB 466, relative to the definition of "implement of husbandry." OUGHT TO PASS WITH AMENDMENT.

Rep. Richard Gordon for Environment and Agriculture. This bill as amended allows farm tractor registration and plates to be used on equipment that is designed for construction, if it is solely used for farming operations. The amendment includes a form on which the registrant certifies that he or she uses the equipment only on the farm. Town clerks will not be responsible for making such determinations. Vote 17-0.

Amendment (2471h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to farm tractor plates for certain specialized vehicles.

1 Farm Tractor Plates; Specialized Vehicles. Amend RSA 261:83, II to read as follows:

II. Notwithstanding any provision of law to the contrary, a farm tractor that is fitted with attachments such as cultivators, loaders, or other equipment, specific to the activities of the farm, or a specialized vehicle such as a backhoe, bulldozer, excavator, grader, or loader, shall qualify for farm tractor registration rates and number plates, provided that it is being used exclusively for agriculture and farming purposes, and not being used for hire.

III. For a person using a specialized vehicle under paragraph II to be eligible for the issuance of a farm tractor plate, the applicant shall sign the following form which the treasurer of a city or such other official as the city government may designate or the town clerk shall provide. This form shall be provided to the applicant upon request without further evidence from the applicant that the plate shall be used for purposes of this section.

I, the undersigned, fully understand the limitations concerning the use of specialized vehicles such as backhoes, bulldozers, excavators, graders, or loaders registered under RSA 261:83, and hereby certify that my vehicle will be used only for agricultural and farming purposes and uses incidental thereto. Signed:

Date:	
	Copies to: Town or City Clerk Applicant

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows certain specialized vehicles used for agricultural purposes to qualify for farm tractor plates.

HB 294, establishing a commission to develop a strategic plan for New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes a commission of legislators, state agency heads and members of the public to develop a strategic plan for NH. Subcommittee work on this bill has led to several productive conversations with the staff at the Division of Economic Development and the Office of Energy and Planning. The committee is satisfied that the crafting of a strategic plan is well under way and that a new commission is not necessary. Vote 11-0.

HB 377, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Harold Parker for Executive Departments and Administration. The intent of this bill, as amended, is to codify the existing New Hampshire Geographic Information System Advisory Committee. The committee is composed of representatives from a number of state agencies who work to share access and pool geographic information system resources. We anticipate that all participants in the preexisting advisory committee will continue to participate in committee discussions regardless of whether they are appointed as voting members of the new committee. It is important that all participants provide input so that their expertise and knowledge can be used in formulating any future plans or decisions that will be beneficial to the state of New Hampshire. Vote 11-0.

Amendment (2506h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state geographic information system committee.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. The intent of this act is to codify the existing New Hampshire geographic information system committee. The general court intends that all participants in the pre-existing committee continue to participate in committee discussions regardless of whether they are appointed as voting members of the committee. It is important that all participants provide input so that their expertise and knowledge can be used in formulating any future plans or decisions.

2 New Chapter; State Geographic Information System Committee. Amend RSA by inserting after chapter 4-E the following new chapter:

CHAPTER 4-F NEW HAMPSHIRE GEOGRAPHIC INFORMATION SYSTEM COMMITTEE

4-F:1 Geographic Information System (GIS) Committee Established.

- I. There is established a New Hampshire geographic information system (GIS) committee.
- II. The members of the committee shall be as follows:
 - (a) The commissioner or agency head of each of the following state agencies, or designee:
 - (1) Adjutant general.
 - (2) Department of agriculture, markets and food.
 - (3) Department of corrections.
 - (4) Department of cultural resources.
 - (5) Department of education.
 - (6) Office of energy and planning.
 - (7) Department of environmental services.
 - (8) Fish and game department.
 - (9) Department of health and human services.
 - (10) Department of information technology.
 - (11) Department of resources and economic development.
 - (12) Department of revenue administration.
 - (13) Department of safety.
 - (14) Department of transportation.
- (b) The director of the University of New Hampshire's Geographically Referenced Analysis and Information Transfer (GRANIT) System, or designee.
 - (c) A municipal GIS manager, appointed by the New Hampshire Municipal Association.
- III. All entities represented on the committee shall share access to geospatial data and resources with the exception of information that is nonpublic, statutorily restricted, or is part of a criminal investigation. Shared information shall be used exclusively for the benefit of the state, the state's political subdivisions, and other relevant parties. No entity represented on the committee shall use data or resources obtained from another entity represented on the committee for pecuniary gain.
- IV. The committee shall review the use, development, and coordination of geospatial data and resources by state agencies and municipal governments and shall consider the need for central coordination, storage, and distribution of such data and resources, and suggest an appropriate response. The committee shall also consider GIS activities at public and semi-public agencies and identify avenues where legislation may further efficiencies through enhanced cooperation.
- V. The first meeting of the committee shall be called by the commissioner of the department of information technology, or designee, and shall be held within 45 days of the effective date of this section. The members of the committee shall elect a chairperson from among the members at the first meeting and every 2 years thereafter. Nine members of the committee shall constitute a quorum.
- VI. The committee shall report annually, beginning November 1, 2016, to the speaker of the house of representatives, the president of the senate, and the governor, on or before November 1. The reports shall describe the activities and findings of the committee and any recommendations for proposed legislation.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a state geographic information system committee.

HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities. INEXPEDIENT TO LEGISLATE.

Rep. Frank Edelblut for Finance. The committee recommends that this bill be Inexpedient to Legislate and its contents be placed into SB 227. The bill modifies RSA 198.41, IV(c) and limits stabilization grants. It provides that no stabilization grant shall be distributed to any municipality in which the municipality's education property tax revenues (RSA 76) exceed the total cost of an adequate education; and no stabilization grant shall be distributed to any municipality in which the municipality's Average Daily Membership is zero. Vote 25-0.

SB 227, relative to calculating the cost of an adequate education. OUGHT TO PASS WITH AMENDMENT.

Rep. Kenneth Weyler for Finance. There were several bills last session affecting the calculation and distribution of the adequate education grants. Some of the language in proposed bills was incorporated into HB 2, but the former bills had to be kept alive while the continuing resolution was in force. Now that the veto of HB 1 and HB 2 has been overridden, some of this language is not needed in separate bills. This bill also incorporates the language of HB 562 by removing adequacy distributions to municipalities that have no students and by having the caps on adequacy expire at the end of this biennium. The amendment takes out what would have been redundant language with HB 2. Many prior amendments were already passed that changed language. The committee amendment incorporated some provisions of HB 562, and changed 2014 to 2017 as the date for removing caps. Vote 25-0.

Amendment (2553h)

Amend the bill by replacing all after the enacting clause with the following:

1 Adequate Education; Definitions. Amend RSA 198:38 to read as follows:

198:38 Definitions. In this subdivision:

L(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, [as defined in RSA 189:1-d, III of the school year in which the calculation is made, in the determination year, provided that no kindergarten pupil shall count as more than 1/2 day attendance per [ealendar] school year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. The department of education shall only make grant payments for such pupils to the extent of available appropriations. In this subparagraph, "public high school" shall have the same meaning

as "high school" as defined in RSA 194:23.

II. "Commissioner" means the commissioner of the department of education.

III. "Department" means the department of education.

IV. "Determination year" means the school year immediately preceding the school year for which aid is determined. Unless otherwise indicated, determination year data shall be used to calculate aid.

V. ["Educationally disabled child" or "educationally disabled pupil"] "Pupil receiving special education services" [shall mean "educationally disabled child"] means the ADMA of a child with a disability as defined in RSA 186-C:2, I.

VI. "English language learner" means[-a child] the ADMA of a pupil who has a predominant language other than English or who is educationally disadvantaged by a limited English proficiency, and who [is receiving regularly scheduled English language instruction. For the purposes of RSA 198:40-a, the department shall calculate the number of English language learners using ADMA data. The department shall use the ADMA of all pupils receiving English language learner services as of October 2006 in calculating 2006-2007 ADMA data participated in the annual assessment of English language proficiency required of such pupils by the Elementary and Secondary Education Act, 20 U.S.C. section 6311 (b)(7).

VI-a. "Municipality" means a city, town, or unincorporated place.

VII. "Pupils eligible for a free or reduced-price meal" means the ADMA of pupils in [grade 1] kindergarten through grade 12 who are eligible for the federal free or reduced-price meal program. [For the purposes of RSA 198:40-a, the department shall calculate the concentration of pupils eligible for free or reduced-price meals using ADMA data. The department shall use the ADMA of pupils eligible for a free or reduced-price meal as of October 2006 in calculating ADMA concentrations for 2006-2007 ADMA data.] No pupil or school shall be required to participate in the federal free or reduced price meal program.

VIII. "School district" means school district as defined in RSA 194:1 and shall include coop-

erative school districts as defined in RSA 195:1, I.

2 Adequate Education; Cost of an Opportunity for an Adequate Education. RSA 198:40-a is repealed and reenacted to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, 2015, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d:

II.(a) A cost of \$3,561.27 per pupil in the ADMA, plus differentiated aid as follows:

- (b) An additional \$1,780.63 for each pupil in the ADMA who is eligible for a free or reduced price meal; plus
 - (c) An additional \$697.77 for each pupil in the ADMA who is an English language learner; plus
- (d) An additional \$1,915.86 for each pupil in the ADMA who is receiving special education services; plus
- (e) An additional \$697.77 for each third grade pupil in the ADMA with a test score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6, provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d).

III. The sum total calculated under paragraph II shall be the cost of an adequate education. The department shall determine the cost of an adequate education for each municipality based on the ADMA of pupils who reside in that municipality.

3 Adequate Education; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows: 198:40-d Consumer Price Index Adjustment. Beginning July 1, [2013] 2017 and every biennium thereafter, the department of education shall adjust the [sum of the amounts determined] cost of an adequate education under RSA 198:40-a based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

4 Adequate Education; Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

5 New Paragraphs; Adequate Education; Determination of Education Grants. Amend RSA 198:41 by inserting after paragraph IV the following new paragraphs:

V. The department shall use the best available data and methods to estimate ADMA and education grants by November 15 of the year preceding the school year for which aid is determined.

VI. The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The commissioner of the department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

VII. When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

VIII. Reports of grant determinations for municipalities required pursuant to paragraphs V-VII shall be available to the public by the date specified in paragraphs V-VII, and the department shall make available a report for multi-town school districts. The department of education shall provide

the department of revenue administration the information needed to set tax rates.

6 Adequate Education; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

I. The adequate education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts [legally responsible for the education of the pupils who attend approved public schools within the district or in other districts or who attend approved programs for children with disabilities, as the case may be,] from the education trust fund in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department. [During the course of the school year, the commissioner may make adjustments in grant payments necessitated by variations in the ADMA data for a school district for any fiscal year in which the ADMA calculation is made.]

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of adequate education grants.

III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district or municipality. [When a payment of a grant is made to a school district, the municipality on whose behalf the payment is made shall receive notification from the state treasurer of the amount of the payment made to its school district or districts.]

IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school [tuition] payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.

7 Adequate Education; Submission of Data. Amend RSA 198:45 to read as follows:

198:45 Submission of Data.

[H] The governing body of every school district, city, joint maintenance agreement, chartered public school, or approved public academy shall submit all records, data, or other information required under this subdivision in accordance with the provisions of RSA 189:28.

[H. The commissioner of the department of education shall provide adequacy aid estimates for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.]

8 School Boards; Statistical Reports. Amend RSA 189:28 to read as follows:

189:28 Statistical Reports; Failure to File Report.

I. The governing body of every [school district, city, joint maintenance agreement, chartered public school, or approved public academy] public education agency, shall, on or before August 1 in each year, submit to the department of education those statistical reports necessary to compute the

average daily membership of pupils attending each school district, and the average daily membership of pupils resident in each school district. Information relating to the fall enrollment, drop-outs, staffing census, and average teacher salary, as of October 1 of each school year, shall be submitted to the department of education on or before October 15. Private schools shall submit average daily membership in attendance, fall enrollment, and teacher staff census.

II.(a) The information needed to determine compliance with performance or accountability measures of [the school district, city, or public academy] public education agency under RSA 193-E:3 or federal law, shall be submitted to the department of education in a timely manner as determined by the department of education. The state board of education shall ensure the accuracy and completeness of such data and shall take enforcement or other actions when necessary, including verification checks, for the purpose of enforcing the provisions of this section.

(b) If the department of education requests verification of information relevant to reports submitted, the [school district, city, or public academy] public education agency shall provide corrected information or verification within 10 business days of such request. The governing body of every [school district, city, joint maintenance agreement, chartered public school, or public academy] public education agency shall maintain files of all records, data, and other information submitted pursuant to this section for not less than 5 years from the date of submission. The state board of education shall have access to such records, data, and information for the purpose of ensuring the accuracy of reported information.

III. Each statistical report submitted under this section by a public education agency shall include a certification, signed by the [superintendent of the school district,] chief executive official that states: "I certify, under the pains and penalties of perjury, that all of the information contained in this document is true, accurate, and complete, and that the school board chairperson has received a copy of this document."

IV. The commissioner of the department of education may grant a school district, city, or public academy up to a 30-day extension of the reporting deadline set forth in paragraph I. The commissioner of the department of education shall notify the governing body of the [school district; city, or public academy] public education agency that all state aid to education and all federal aid, if the report is required by federal law, shall be withheld until such time as complete and accurate information is submitted.

V. The department of education shall determine the average daily membership in attendance of every [school district, city, joint maintenance agreement, chartered public school, public academy] public education agency, and private institution that operates an elementary or secondary school, and the average daily membership in residence of each school district, municipality within a cooperative school district, and unincorporated place.

VI. In this section, "public education agency" means a school district, city, joint maintenance agreement, chartered public school, or approved public academy.

9 Education Tax Credit; Definitions. Amend RSA 77-G:1, I to read as follows:

I. "Adequacy cost" means the total cost of the opportunity for an adequate education as defined in RSA 198:40-a[, I-III].

10 Education Tax Credit; Scholarship Organizations. Amend RSA 77-G:5, II(e) to read as follows:

- (e) Notwithstanding RSA 193-E:5, on or before July 15, a scholarship organization shall furnish the unique pupil identifier and date of birth for each student eligible pursuant to RSA 77-G:1, VIII(a)(1) and (2) who is receiving a scholarship, and the subparagraph under which he or she was eligible, to the department of education. The department of education shall notify the scholarship organization within 30 days of any students who are ineligible under RSA 77-G:1, VIII(a)(1). The scholarship organization shall notify the department of education within 30 days if any student eligible under RSA 77-G:1, VIII(a)(1) or (2) is not awarded a scholarship or is awarded a scholarship yet subsequently returns to public school. The department of education shall return such student to the calculation of the average daily membership in residence, as defined in RSA 189:1-d, IV, for the student's school district of residence, and add the amount calculated under RSA 198:40-a[, I-IIII] to the adequate education grant amount to the student's school district of residence, and include such amount in the next adequate education grant payment made under RSA 198:42.
 - 11 Education Tax Credit; Requirements. Amend RSA 77-G:7, I to read as follows:
- I. The department of education shall determine the number of students receiving a scholarship under RSA 77-G:1, VIII(a)(1) and (2) who were counted in the calculation of the average daily membership in attendance, as defined in RSA 198:38, I, for schools, other than chartered public

schools, for the student's school district of residence and for each such student, shall deduct the amount calculated under RSA 198:40-a[, I-III] from the total education grant amount disbursed to the student's school district of residence calculated pursuant to RSA 198:40-a[, IV(b)-(c)]. This adjustment shall be completed prior to September 1 of the program year in which the scholarships are granted.

12 School Money; Reports Required. Amend RSA 198:4-d, II to read as follows:

II. A report filed by the governing body of each city and school district shall revise all the estimated revenues for the year. This report shall be filed by September 1 of each year. The revised estimates by school districts for the adequate education grants calculated under RSA 198:41 shall be considered the most accurate within 5 percent of the amount estimated pursuant to RSA 198:40-a[, V].

13 Repeal. The following are repealed:

I. RSA 198:40-b, relative to use of differentiated aid.

II. RSA 198:44, relative to the duties of the department of education and the state board of education.

14 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill revises the amount of differentiated aid distributed to a pupil, makes various changes to the deadlines and types of data to be used by the department of education in the calculation of adequate education grants, revises the stabilization grant amount distributed to certain municipalities, and repeals the provision relating to the use of differentiated aid.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. OUGHT TO PASS WITH AMENDMENT.

Rep. J. Tracy Emerick for Finance. This bill, creating the Achieving a Better Life Experience (ABLE) savings account program for those with certain disabilities, is the state adaptation of a federal program of the same name. The bill provides for the launch of an ABLE program as soon as the federal rules are finalized and a third party program administrator can be selected. The bill assigns the responsibility of implementation to the State Treasurer and Executive Director of the Governor's Commission on Disability so the state and affected communities are represented. The bill stipulates that the state incur no cost to implement the ABLE program. The bill's sponsor concurs with this amended version of the bill. Vote 25-0.

Amendment (2446h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Achieving a Better Life Experience (ABLE) Savings Account Program. Amend RSA by inserting after chapter 195-J the following new chapter:

CHAPTER 195-K

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS ACCOUNT PROGRAM 195-K:1 Definitions. In this chapter:

I. "Achieving a Better Life Experience Act of 2014" means the federal Achieving a Better Life Experience (ABLE) Act of 2014 which allows individuals with disabilities to establish tax-free 529-A savings accounts to save for medical, housing, transportation, employment training, education and other quality of life expenses.

II. "Executive director" means the executive director of the governor's commission on disability established in RSA 275-C.

III. "Individuals with disabilities" means individuals who are eligible for the program because their disabilities occurred on or before the individual attained age 26, as required by 26 U.S.C. section 529A(e)(1)-(2) of the federal Achieving a Better Life Experience Act of 2014.

IV. "Savings plan" means any plan administered as the New Hampshire ABLE savings account program.

195-K:2 Achieving a Better Life Experience (ABLE) Savings Account Program.

I. The state treasurer and the executive director shall establish and administer a qualified ABLE savings account program as authorized in the Achieving a Better Life Experience Act of 2014, and in accordance with the provisions of section 529A of the United States Internal Revenue Code of 1986, as amended, and may enter into such contracts as the state treasurer and the executive director deem necessary to achieve this purpose, subject to the approval of the governor and council.

- II. The state treasurer and the executive director shall adopt rules relative to the administration, management, promotion, and marketing of the qualified ABLE program and ensure that the qualified ABLE program complies with section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the qualified ABLE program.
- III. Any personnel and administrative costs related to plan administration within the state treasurer's office and the governor's commission on disability shall be funded from the savings plan.
 - IV. No general fund moneys shall be expended in support of the savings plan or its implementation. 195-K:3 ABLE Savings Plan.
- I.(a) The state treasurer and the executive director shall, as needed, issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration.
- (b) The state treasurer and the executive director shall consider and, if appropriate, give preference to proposals best meeting the following criteria:
- (1) Ability to administer financial programs with individual account maintenance and reporting.
- (2) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE savings plan.
- (c) The final selection of the vehicle for investments and its administration shall be made by the state treasurer and the executive director.
- (d) The state treasurer and the executive director may consider and contract with an ABLE savings account program previously established in another state.
- II. The savings plan may be on a "cash only" basis, and may include provisions for automatic deductions.
- III. The savings plan or such trust may be divided into multiple investment portfolios. If so divided, and if distinct records are maintained for any such portfolio and the assets associated with any such portfolio are accounted for separately from the other assets of the trust, then the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular portfolio may be enforceable against the assets of such portfolio only, and not against the assets of the trust generally.
- 195-K:4 Funds Exempt From Interest and Dividends Tax. Income and distributions from any qualified ABLE program as defined in the Internal Revenue Code of 1986, as amended, shall be exempt from the interest and dividends tax pursuant to RSA 77:4-h, provided that distributions from the plan which are subject to federal income tax shall be subject to the interest and dividends tax pursuant to RSA 77 on the accrued income portion of the savings plan distribution.
 - 195-K:5 Authority to Issue Request for Proposals.
- I. Within 6 months of the issuance of administrative rules by the Internal Revenue Service and the federal Department of Treasury governing implementation of any savings account programs authorized pursuant to the federal Achieving a Better Life Experience Act of 2014 (ABLE), the state treasurer, in consultation with the executive director, shall issue a request for proposals from third-party vendors to implement a savings plan pursuant to this chapter and in accordance with provisions of section 529A of the United States Internal Revenue Code of 1986, as amended. The state treasurer and executive director shall implement a savings plan pursuant to this chapter within 6 months after a suitable third-party vendor has been selected.
- II. In selecting a third-party vendor, the state treasurer and executive director of the governor's commission on disability shall consider, and, if appropriate, give preference to proposals best meeting the following criteria:
- (a) Ability to administer financial programs with individual account maintenance and reporting.
- (b) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE plan.
- III. The final selection of the vehicle for investments and administration shall be made by the treasurer and the executive director.
- IV. The state treasurer and the executive director may consider and contract with an ABLE savings account program previously established in another state.
- 3 New Section; Interest and Dividends from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Amend RSA 77 by inserting after section 77:4-g the following new section:
- 77:4-h Interest and Dividends from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and distributions from

any Achieving a Better Life Experience (ABLE) plan as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted from federal income taxation under section 529-A of the Internal Revenue Code of 1986, as amended.

4 Contingent Repeal. The following are repealed:

I. RSA 195-K, relative to the Achieving a Better Life Experience savings account program.

II. RSA 77:4-h, relative to interest and dividends from funds invested in the Achieving a Better Life Experience savings account program.

5 Contingency. Section 4 of this act shall take effect upon the earlier of the following:

I. The date of certification from the state treasurer and the executive director of the governor's commission on disability to the secretary of state and the director of the office of legislative services that, after issuing a request for proposals, the treasurer and executive director of the governor's commission on disability have determined that no suitable vendor is available to implement the New Hampshire Achieving a Better Life Experience savings account program; or

II. The date of certification from the state treasurer and the executive director of the governor's commission on disability to the secretary of state and the director of the office of legislative services that the Internal Revenue Service and the federal Department of Treasury have not issued administrative rules governing implementation of any state savings account programs authorized pursuant to the federal

Achieving a Better Life Experience Act of 2014; or

III. The date of certification from the commissioner of the department of administrative services to the secretary of state and the director of the office of legislative services that a general fund appropriation has been made to support the New Hampshire Achieving a Better Life Experience savings account program as established in RSA 195-K.

6 Effective Date.

- I. Section 4 of this act shall take effect as provided in section 5 of this act.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes the New Hampshire Achieving a Better Life Experience (ABLE) savings account program. The bill makes implementation of the program contingent on the adoption of federal administrative rules, the identification of a suitable third-party vendor to administer the program, or the adoption of a general fund appropriation.

HB 629-FN, relative to induced termination of pregnancy statistics. OUGHT TO PASS WITH AMENDMENT.

Rep. Bill Nelson for Health, Human Services and Elderly Affairs. As amended, this bill provides statistical information that brings New Hampshire in line with 48 other states. The committee took care to be sure the identity of the patient is confidential and follows the Centers for Disease Control and Prevention (CDC) protocols. All stakeholders agreed to the final version of the bill. Vote 12-1.

Amendment (2551h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Annual Report Required. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Induced Termination of Pregnancy; Annual Report.

- I. In this section:
- (a) "Aggregate summary" means compilation of the information received by the department of health and human services on induced terminations of pregnancy.
 - (b) "Department" means the department of health and human services.
 - (c) "Division" means the division of vital records administration, department of state.
- (d) "Facility" or "medical facility" means any public or private hospital, clinic, center, medical school, medical training institution, health care facility, physician's office, infirmary, dispensary, ambulatory surgical treatment center, or other institution or location wherein medical care is provided to any person.
- (e) "Health care provider" means any individual licensed to provide health care under RSA 326-B:18 or RSA 329 and who provides induced terminations of pregnancy.

- (f) "Identification number for health care provider of facility" means a confidential identifier for a health care provider or a facility including the location of the health care provider or the facility by city, town, or county.
- (g) "Induced termination of pregnancy" means an intervention performed by a licensed clinician, including a physician, nurse, midwife, nurse practitioner, or physician assistant, that is intended to terminate an ongoing pregnancy.
- (h) "Patient confidential identification code or number" means a confidential identifier for a patient including primary residence by state and city, town, or county.
 - (i) "Procedure" means the process by which an induced termination of pregnancy occurs.
- II.(a) The division shall collect non-identifying confidential data on induced termination of pregnancy occurring within the state of New Hampshire using the New Hampshire Vital Record Information Network (NHVRIN) electronic system or any modified or replacement electronic system under the jurisdiction of the division. The division shall bear all responsibility for maintaining the confidentiality of these records. These data shall be stored using only the confidential number of the health care provider assigned by the department to the provider prior to the submission of the form. Provider names or other identifying data shall not be stored in the division or department data systems. These data shall only be released to the department as authorized by this section. Each health care provider or facility shall use an electronic form for such purpose. The electronic form shall be made available by the department to each health care provider or facility. The form shall only require disclosure of information required under this section. The department shall assign a confidential number to each health care provider and facility required to submit the electronic form under this section. The confidential number, or any other personally identifiable information, obtained under this paragraph shall be for statistical purposes only and therefore be exempt from disclosure under RSA 91-A.
- (b) The electronic form shall be completed by the health care provider or the facility and securely transmitted to the division on or before the 15th day of each month for all induced terminations of pregnancy occurring within the previous month. The electronic form shall only be submitted if induced terminations of pregnancy were performed in the preceding month.
- (c) The department shall have sole responsibility for the analysis of the data and the preparation and distribution of the aggregate summary.
- (d) The department shall publish an annual report, commencing on November 1, 2017, to be posted on the department's Internet website, based on an aggregate summary of the information obtained pursuant to this section. No data may be released by the department that would have the capacity to personally identify either the health care provider who performed the induced termination of pregnancy or the patient on whom it was performed.
 - III. The electronic form provided by the department shall include the following data:
 - (a) The confidential identification number for the health care provider or facility.
 - (b) The patient's confidential identification code or number.
 - (c) The patient's use and, if applicable, type of contraception.
 - (d) The patient's age.
- (e) The estimated gestational age of the fetus as determined by the health care provider using as a reference the 2014 American College of Obstetricians and Gynecologists guidelines or any subsequent editions thereto.
- (f) The county or municipality if the population of the municipality exceeds 20,000 based on the United States Census Bureau of the address of the patient. If the patient is a resident of another state, then indicated as out-of-state.
 - (g) Date of termination by month and year.
 - (h) Method of termination as follows:
 - (1) Curettage;
 - (2) Intrauterine installation;
 - (3) Medical (nonsurgical); or
 - (4) Other as specified by the health care provider.
 - IV. The department's annual report shall provide aggregate data using the following fields:
- (a) The county or municipality if the population of the municipality exceeds 20,000 based on the United States Census Bureau of the address of the patient. If the patient is a resident of another state, then indicated as out-of-state.
 - (b) The patient's use and, if applicable, type of contraception.

- (c) Patient age listed in ranges as determined by the department using Centers for Disease Control and Prevention (CDC) guidelines.
- (d) Gestational age of the fetus listed in ranges as determined by the department using CDC guidelines.
 - (e) Method of termination as follows:
 - (1) Curettage;
 - (2) Intrauterine installation;
 - (3) Medical (nonsurgical); or
 - (4) Other as specified by the health care provider.
- V.(a) Notwithstanding RSA 126:28 and except as otherwise provided in this section, information obtained by the department under this section shall be used only for statistical purposes and such information shall not be released in any manner other than that outlined in this section for preparation of the reports. Such release shall not occur in any manner which would lead to or permit the identification of the person on whom the procedure was performed. Any releases of the information obtained shall not disclose or permit the identification of any person filing a report, the facility at which the procedure was performed, or the identity of any health care provider as defined in RSA 126-A:4-i, I(d) who submits a report to the division under this section. The information obtained by the department in RSA 126-A:4-i, III(a), regarding the confidential identification number for the health care provider or facility, and RSA 126-A:4-i, III(b), regarding the patient's confidential identification code or number, shall only be used for internal auditing and quality assurance purposes by the department.

(b) Excluding any aggregate summary as defined in RSA 126-A:4-i, I(a), the department

and division shall purge all data collected and obtained under this section after 3 years.

VI. If any provision of this section, or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this section which can be given effect without the invalid provision or application, and to that end the provisions of this section are severable.

2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill requires the department of health and human services to publish an annual report consisting of an aggregate statistical summary of all induced terminations of pregnancy performed in New Hampshire. This report shall be available to the public. Data submitted by providers shall be for statistical purposes only and not public records.

SB 7, adding duties to the joint health care reform oversight committee. INEXPEDIENT TO LEGISLATE.

Rep. James MacKay for Health, Human Services and Elderly Affairs. This bill requires the joint health care reform oversight committee to provide oversight, policy direction, and recommendations for legislation regarding implementation of managed care and the New Hampshire health protection plan. Essentially the duties detailed in this legislation are not needed as they are contained in existing committees. Vote 13-0.

SB 67, establishing a commission to study opioid misuse in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill sought to create a new commission to study opioid misuse in the state. There is concern and no question that there is a problem with opioids and the escalating number of opioid overdoses. However, the committee believed that commissions exist to study substance abuse. Creating another commission was viewed as duplication and not expedient to providing a solution. Vote 13-0.

SB 214-FN, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital. INEXPEDIENT TO LEGISLATE.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies an exemption to the certificate of need law regarding the transfer of skilled nursing facility beds from Franklin Regional Hospital to other parts of its service area. After testimony and input from various parties, the bill was deemed unnecessary. Vote 13-0.

HB 324, relative to membership in a union. INEXPEDIENT TO LEGISLATE.

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. This bill, as introduced,

inaccurately addresses the intent of the sponsor. Rather than make the numerous changes necessary to meet the sponsor's original intent, a new bill will be introduced (in the next session) that accomplishes what the bill's sponsor set out to do. Vote 14-0.

HB 465, relative to workers' compensation for domestic employees. INEXPEDIENT TO LEGISLATE.

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. After hearing testimony, the Insurance Department added a workers' compensation insurance classification that covers non-professional domestic workers. This new classification allows more affordable coverage for individuals who provide daily living assistance in an individual's residence. As a result, the Labor Committee did not feel a legislative 'solution' was needed. Vote 14-0.

HB 477-FN-L, relative to workers' compensation benefits and establishing payment schedules. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Ley for Labor, Industrial and Rehabilitative Services. The primary issue raised in this bill (medical payment schedules) was resolved by legislation passed in 2015 (Ch. 210 Laws of 2015, SB 133). The second issue raised (indemnity payments) may be more effectively addressed in future legislation. Vote 12-0.

SB 45, relative to opioid treatment agreements under workers' compensation law. OUGHT TO PASS WITH AMENDMENT.

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. The goal of this legislation was to create rules regarding opioid drug use for employees being treated under a workers' compensation claim. One major item had to do with written contracts between the doctor and patient that would include mandatory drug testing. There are a number of initiatives undertaken in the state to deal with the current opioid drug issues. The committee felt it was more appropriate to amend the bill to study the issue and see how other proposed changes would come into play with workers' compensation claims. Vote 14-0.

Amendment (2544h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study opioid use in workers' compensation cases.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study opioid use in workers' compensation cases.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, one of whom shall be from the labor, industrial and rehabilitation committee, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - 3 Duties.
 - I. The committee's study shall include, but not be limited to, the following:
- (a) Obtaining information regarding pain medicine and specifically opioid use in workers' compensation cases.
 - (b) The cost of opioid use for workers' compensation cases.
- (c) The correlation between opiod use in workers' compensation cases and cases of addiction to the medicine.
 - (d) The feasibility of using a doctor-patient opioid use contract and its effects on opioid use.
- II. The committee may solicit information from any person or entity the committee deems relevant to its study.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.
- 5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study opioid use in workers' compensation cases.

HB 399-FN, establishing a force of state capitol security officers with the authority to carry firearms. REFER FOR INTERIM STUDY.

Rep. Richard Hinch for Legislative Administration. For a number of years we have been considering establishing a State Capitol Security Force. The safety and security of the public, employees, and elected officials could someday depend on this positive action. We do not have metal detectors. We do not check citizens entering our buildings. Referring this bill for Interim Study is a sensible first step in the process of ensuring the safety of our institution and the people in it. Vote 10-0.

HB 229, relative to increasing the maximum amount of the optional veterans tax credit. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill would have increased the maximum allowed Veteran Tax Credit in RSA 72:28, II from \$500 to \$700. The committee believed that the honorarium of \$500 was sufficient to recognize the sacrifice of veterans. Vote 13-0.

HB 288-L, relative to the code for energy conservation in new building construction. **INEXPEDIENT TO LEGISLATE.**

Rep. Lawrence Kappler for Municipal and County Government. This legislation is anti-energy conservation. Of all the speakers at both the public hearing and the retained subcommittee meeting, the only person speaking in favor of this legislation was the sponsor. Vote 13-0.

HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Coffey for Municipal and County Government. The original wording of HB 295 addressed issues related to municipal parking facilities that resulted in negative feedback from affected municipalities. It became quickly obvious that even after retaining this bill and working on it in a subcommittee, it was not going to be acceptable. The committee simply corrected an erroneous reference to a non-existent statute and inserted the correct reference. As amended, the bill continues the original intent and simply corrects the error in current law. It makes no changes with respect to maintenance or construction of municipal parking facilities. Vote 13-0.

Amendment (2387h)

Amend the title of the bill by replacing it with the following:

AN ACT correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Municipal Agreements Regarding Parking Facilities. Amend RSA 203:8, IX to read as follows: IX. To enter into agreements with municipalities for the construction of public parking facilities as provided in [RSA 252-A] RSA 231, provided, however, that any such agreement shall require that the public parking facilities shall be conveyed to the municipality or its designee upon completion of the project. Any authority may construct such facilities in any area that the municipality shall authorize and shall not be limited to blighted, substandard or slum areas.

2 Municipal Agreements Regarding Parking Facilities. Amend RSA 203:23, XV to read as follows: XV. Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with a housing authority for the construction of public parking facilities as provided in [RSA 252-A] RSA 231; provided, however, that any such agreement shall require that the public parking facilities shall be conveyed to the municipality or its designee upon completion of the project. Any authority may construct such facilities in any area that the municipality shall authorize and shall not be limited to blighted, substandard or slum areas. Any municipality may issue and sell its general obligation bonds or notes as provided by [RSA 252-A] RSA 231 to raise funds to be granted to a housing authority for the purposes of carrying out such agreements. Municipalities may make assessments as provided by [RSA 252-A] RSA 231 and may increase motor vehicle permit fees as provided by [RSA 260:27-b] RSA 261:154 in order to pay the cost of construction of a public parking facility including payment of indebtedness incurred by the issuance of such bonds or notes. Any such indebtedness shall be included in the net indebtedness of the municipality for the purpose of ascertaining its borrowing capacity only to the extent and under the conditions provided in [RSA 252-A] RSA 231.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill corrects a reference in a provision relative to municipal agreements regarding the construction of parking facilities.

HB 501, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill provides for the inclusion of veterans who served during non-qualifying periods in the "veteran's tax credit." This tax credit provides for a credit of \$50 to \$500 against the taxes of a qualifying veteran's primary residence. The amount varies based on what each town or city has voted to adopt. Part of the intent with this bill was to capture veterans that served between WWII and Korea, Korea and Vietnam and Vietnam and the first Gulf War. It also adds a one-year active duty service requirement. Present law requires a ninety-day active duty period during a qualifying (wartime) period. Passage of this bill could take away the tax credit from some veterans that presently qualify. While wanting a longer service time before qualifying for the tax credit is a desirable condition to some, removing the earned credit from those receiving it was not. A veteran separated from active duty after 100 days service may not be deemed to have earned the credit while one who was separated due to combat injuries after the same period of time should not be included in the same category. HB 430 extends the tax credit to all honorably discharged veterans without any other criteria being changed, accomplishes part of this bill's intent, was seen as the proper solution by this committee and is also on this calendar. The committee also discussed the possibility of a future bill that could address a change on the minimum time of active duty served for those serving in the future. Vote 13-0.

HB 546, relative to exactions for improvements related to innovative land use controls. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill would have extended the time from six years to ten years for a municipality to expend funds collected by exactions imposed by a planning board for improvements to infrastructure to accommodate a new development. Further, the bill would have established an advisory board to review the amount of the exactions. The committee was not convinced of the necessity of such a board. Vote 13-0.

HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor. **INEX-PEDIENT TO LEGISLATE.**

Rep. Gene Chandler for Public Works and Highways. This bill deals with noise barriers on New Hampshire's highways. While sympathetic to the situation in some areas at the present time, the approved criteria does not allow for an expansion of the so-called Type 1 noise mitigation policy. The Department of Transportation has indicated that they are working on Type 2 criteria which may open the door for more noise mitigation projects to be approved. The results of the new Type 2 regulations should be ready by the time the Ten Year Highway Plan comes up for legislative action this coming year. Additionally, this bill would have funded certain noise mitigation projects using Meals and Rooms Tax monies collected at the Hooksett Welcome Centers. The committee did not feel this was a good idea. Vote 12-0.

HB 143, relative to electric renewable energy classes. INEXPEDIENT TO LEGISLATE.

Rep. Michael Vose for Science, Technology and Energy. This bill sought to add hydroelectric generation to RPS Class 1. This addition runs the risk of introducing economic uncertainty to the electricity market and potentially destabilizing other RPS classes. The committee felt that while RPS changes may be needed, this change might cause too much disruption to the mix of energy generation sources that RPS currently supports. Vote 20-0.

HB 105, relative to special number plates for members of the Civil Air Patrol. INEXPEDIENT TO LEGISLATE.

Rep. Steven Smith for Transportation. The committee agreed that members of the Civil Air Patrol deserve a number plate, but could not reconcile the cost. A subsequent bill will allow them to seek recognition on number plates at no cost to taxpayers. Vote 11-0.

HB 123, relative to walking disability placards. INEXPEDIENT TO LEGISLATE.

Rep. Steven Smith for Transportation. This topic is addressed by the Committee to Study Issues Concerning Parking for those with Walking Disabilities created under Chapter 47:1, Laws of 2015, SB 171. Vote 11-0.

HB 351, exempting historically significant vehicles from emission control requirements. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill exempts historically significant or exotic vehicles from emission control requirements. These vehicles did not come with an on board diagnostic system (OBD) so there is no way to test them. This may affect an extremely small number of vehicles. Vote 11-0.

HB 385-FN, relative to special motorcycle number plates for disabled veterans. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. The contents of this bill were amended to HB 280 making this bill unnecessary. Vote 14-0.

HB 388-FN-A, establishing university number plates. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. This bill was initially retained by the committee knowing of the future work on a decal plate bill that will address specialty plates but it was ultimately not chosen as the vehicle for that work. Vote 11-0.

HB 420-FN, relative to limited driving privileges after revocation for certain financial obligations. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. During the public hearing it was determined that this bill's issues were addressed in current statutes. Vote 11-0.

HB 535-FN, relative to signs advising motorists approaching highway emergencies. OUGHT TO PASS WITH AMENDMENT.

Rep. Werner Horn for Transportation. The amendment to HB 535 provides for a method by which public-private partnerships can be conducted for the express purposes of the purchase and installation of signs promoting New Hampshire's "Move Over Law" (RSA 265:37-a). The amendment replaces the original bill, which did not include a funding mechanism. The amendment also provides for which highways these signs are to be posted on and the disposition of the unexpended funds. Vote 15-1.

Amendment (2547h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Signs Advising Motorists Approaching Emergency Vehicles in the Breakdown Lane; Fund Established. Amend RSA 265 by inserting after section 37-b the following new section: 265:37-c Signs Advising Motorists Approaching Emergency Vehicles in the Breakdown Lane; Fund Established.

- I. There is established a nonlapsing revolving fund to be known as the emergency vehicle warning sign fund in the department of transportation which shall be funded by moneys paid through public-private agreements to post signs on the following highways, advising motorists to give one lane of clearance to emergency vehicles in the breakdown lane:
- (a) I-93 Northbound, one sign at the Massachusetts border, one sign between Salem and Manchester, and 2 signs between Concord and the Vermont border.
- (b) I-93 Southbound, one sign at the Vermont border, one sign between the Vermont border and Concord, and 2 signs between Concord and the Massachusetts border.
 - (c) I-89 Northbound, 2 signs between Concord and the Vermont border.
- (d) I-89 Southbound, one sign at the Vermont border and one sign between the Vermont border and Concord.
- (e) Rte. 101 Eastbound, one sign at the intersection with I-93 and one sign between the intersection with I-93 and Hampton.
- (f) Rte. 101 Westbound, one sign at Hampton and one sign between Hampton and the intersection with I-93.
- II. The moneys in the fund shall be expended solely for the purpose of posting the signs in paragraph I. When all such signs have been posted, any balance in the fund shall lapse to the general fund.
- 2 New Subparagraph; State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:
- (332) Moneys deposited in the emergency vehicle warning sign fund established in RSA 265:37-c.
 - 3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a fund in the department of transportation, funded by payments from publicprivate agreements, for the sole purpose of posting signs advising motorists to give one lane of clearance to emergency vehicles in the breakdown lane.

This bill also specifies locations for those signs.

HB 567-FN, establishing breast cancer and pediatric cancer special number plates. **INEXPEDIENT TO LEGISLATE**.

Rep. Chris True for Transportation. The Department of Safety states the cost of this bill would be \$565,700. The committee members were sympathetic to the goal of bringing attention to breast cancer and pediatric cancer. However, the committee felt that the cost of these plates is prohibitive. The committee is working on formulating a decal program that could address this and other issues for special decals to affix onto plates. Vote 11-0.

HB 688-FN-L, relative to establishing an agricultural education number plate. INEXPEDIENT TO LEGISLATE.

Rep. Werner Horn for Transportation. Different organizations throughout New Hampshire would like to offer special motor vehicle plates for purchase by New Hampshire citizens to raise money for their very worthy causes. In light of the expected solution that may be offered in another bill, this bill is not necessary. The expected solution may contain features including, but not limited to, allowing the Department of Motor Vehicles to issue a special plate with room for a decal, the opportunity for organizations throughout New Hampshire to apply for approval for their own specific decal, and the elimination of possible constitutional issues by allowing these specific organizations to sell the approved decals themselves without state involvement. Vote 11-0.

HB 386-FN-A, reducing the rate of the business profits tax. INEXPEDIENT TO LEGISLATE. Rep. Brian Gallagher for Ways and Means. The intent of this bill is to reduce the rate of the Business Profits Tax (BPT) from 8.5% to 7%. On Sept. 16, 2015 the legislature approved HB 1, HB 2 and SB 9, which enacted a timeline for reductions to the BPT. Thus the committee feels HB 386 is unnecessary and moot at this point in time. Vote 19-0.

HB 569-FN-A, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax. **REFER FOR INTERIM STUDY**.

Rep. Gary Azarian for Ways and Means. The subcommittee process through the fall raised many more questions in regards to the subject that will hopefully be answered through additional study. Vote 17-0.

HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax. INEXPEDIENT TO LEGISLATE.

Rep. David Hess for Ways and Means. This bill was introduced to serve as a "place keeper" in the event of confirmation that the recent statutory change applicable to the taxation of income and dividends from trusts results in a substantial reduction in tax revenue for FY 2015. The substantial increase in interest and dividends revenue in FY 2015 over FY 2014 indicated no such causal connection. Consequently this legislator, the bill's sponsor, requested that it be voted Inexpedient to Legislate. Vote 18-0.

SB 144, relative to carry-over cover-all bingo. OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for Ways and Means. The carry-over cover-all bingo game is currently in the statutes and is being played in NH. This game is allowed to be played once a day in bingo establishments. The object is to cover all card numbers within 49 draws. If there is no winner, then the prize money carries over to the cover-all game the next week. The object is to attract more players with the ever growing jackpots that are carrying over week after week. With more players another result will be increased sales of Lucky Seven tickets. Bingo halls are able to stay in business because of the Lucky Seven sales, since bingo on its own is a losing proposition for the halls. This bill, as passed by the Senate, was a concept lacking sufficient detail. The amendment supports the concept of commercial halls and charitable organizations increasing the potential jackpots even more by allowing them to conduct shared carry-over cover-all bingo games. Any commercial hall or charitable organization may apply to become a host hall with the Lottery Commission. They in turn would secure participating halls. Host halls and participating halls all must possess an existing bingo license from the commission. The host hall will be responsible for implementing the technology to be able to simulcast the cover-all bingo games. The Ways and Means Committee supported the concept of shared carry-over cover-all bingo which will help NH charities as well as help fund the Education Trust Fund. Vote 18-0.

Amendment (2484h)

Amend the title of the bill to read as follows:

AN ACT relative to carry-over coverall bingo and shared carry-over coverall bingo.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:1 by inserting after paragraph IX the following new paragraph:

X. "Shared carry-over coverall" means a carry-over coverall bingo game conducted at a host hall and exhibited simultaneously to at least one participating hall by means of an electronic simulcast feed for the purpose of playing for a common jackpot with the conduct of the game at the host hall under rules adopted by the commission under RSA 541-A. "Host hall" means a commercial hall or charitable organization approved by the commission where a shared carry-over coverall bingo game originates. "Participating hall" means a commercial hall or charitable organization approved by the commission that receives a simulcast of the shared carry-over coverall played at the host hall.

2 Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:3, XIV to read as follows:

XIV. A carry-over coverall game or a shared carry-over coverall game, including the application process for host halls.

XV. Other matters related to the proper administration of this chapter.

3 New Paragraph; Shared Carry-Over Coverall Bingo; Annual Report. Amend RSA 284:6-a by inserting after paragraph IV the following new paragraph:

IV-a. The lottery commission shall include a summary in its annual report under RSA 284:11 regarding the financial impact of shared carry-over coverall games to participating charities and the state, and any recommendations it has regarding the continuation of shared carry-over coverall games in New Hampshire.

4 Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:7, XV-XVI to read as follows:

XV. A progressive coverall game [or a shared carry-over coverall game]:

(a) May be played once during any given game date;

(b) Shall be played on the second or last coverall;

(c) Shall not have a total of prize and bonus combined exceeding \$3,000; and

(d) May offer a predetermined consolation prize to the game winner who first achieves coverall.

XVI. A carry-over coverall game or a shared carry-over coverall game:

(a) May be played once during any given game date.

- (b) Notwithstanding any other law to the contrary, may allow prize money to accumulate until there is a winner.
- (c) Shall award a predetermined consolation prize to the game winner who first achieves coverall, the consolation prize is paid from the accumulated carry-over.

(d) Shall award a prize which shall be taxed under RSA 287-E:8.

5 New Paragraph. Amend RSA 287-E:8-a by inserting after paragraph V the following new paragraph:

VI. All financial records pertaining to carry-over coverall bingo shall be maintained by the host hall or the host hall's shared carry-over coverall service provider for a period of at least 2 years, and shall be made available to representatives of the commission or of the commissioner of safety upon request.

6 New Section; Shared Carry-Over Coverall Bingo. Amend RSA 287-E by inserting after section

13 the following new section:

287-E:13-a Shared Carry-Over Coverall Bingo.

- I. The commission may approve a host hall for shared carry-over coverall bingo if:
 - (a) The host hall holds a valid bingo license under RSA 287-E:6.
- (b) At least 30 days before the proposed game date, the host hall submits a plan to the commission including:
- (1) The distributor or manufacturer of the bingo equipment to be used for shared carryover coverall bingo.
- (2) The technology used to broadcast the game to participating halls. Such technology shall meet the International Technical Standards for Electronic Gaming Machines set forth by the International Association of Gaming Regulators.
 - (3) The name of the bank used to maintain prize money.

- (4) The names and addresses of all participant halls.
- (c) The host hall posts a bond, conditioned upon the host hall's compliance with the rules of the commission. The commission shall have the authority to set the bond at no less than \$50,000 and no more than the highest prized jackpot prize offered in the last 24 months
- II. A host hall approved under paragraph I may conduct and simulcast carry-over coverall games in accordance with commission rules, and utilize software and electronic devices that have been tested by an independent testing laboratory and approved by the commission.
 - III. Host hall approval is non-transferrable.
- IV. The commission shall respond to a host hall's request for approval for shared carry-over coverall bingo within 30 days of receipt of such request. Such approval shall be valid for one year from the date of its issue.
 - V. Shared carry-over coverall games shall be operated only by persons designated by the host hall.
 - VI. Numbers for shared carry-over coverall bingo shall only be selected by a live person.
 - VII. There shall be a limit of 18 cards per player.
- VIII. There shall be no limit on the total value of prizes, tokens, or awards for any shared carry-over coverall game or series of shared carry-over coverall games.
- IX. If a charitable organization enters into a contract with a host hall for shared carry-over coverall bingo, the charitable organization shall retain the profit percentage set by the commission on January 1 of each year, but which shall not be less than 7 percent of the gross revenues from any shared carry-over coverall bingo games. The host hall shall retain the profit percentage set by the commission on January 1 of each year based on the average cost of operating shared carry-over coverall bingo. Such percentage shall not be less than 7 percent of the gross revenues from any shared carry-over coverall bingo game. If the host hall is charitable organization the charitable organization shall receive both the charitable organization profit percentage and the host hall profit percentage. The host hall shall pay the bingo tax under RSA 287-E:8. No charitable organization shall sustain a loss from bingo such that its share of the gross revenues would be less than zero dollars, for the duration of its contact with a single host hall.

7 Effective Date. This act shall take effect 180 days after its passage.

AMENDED ANALYSIS

This bill:

- I. Defines shared carry-over coverall bingo, host hall, and participating hall.
- II. Allows the lottery commission to adopt rules relative to carry-over coverall bingo and shared carry-over coverall bingo.
 - III. Describes the operation of shared carry-over coverall bingo.

REGULAR CALENDAR

HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. **INEXPEDIENT TO LEGISLATE.**

Rep. James Gray for Children and Family Law. The majority of the committee believes that the Family Court and Probate Court divisions should have jurisdiction in the cases this bill would study, therefore making this study unnecessary. Vote 13-2.

Rep. Brewster Spoke against.

Rep. Gray spoke in favor.

Rep. Oligny spoke against and yielded to questions.

Rep. Itse requested a roll call; not sufficiently seconded.

On a division vote, with 265 members having voted in the affirmative and 89 in the negative, the committee report was adopted.

HB 513, relative to complaint investigation procedures of the guardian ad litem board. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Paul Ingbretson for the Majority of Children and Family Law. The amendment to this bill rearranges for clarity the language of RSA 490-C:4, I (g) regarding complaint investigations procedures against guardians ad litem (GAL) and separates out the compliant dismissal part into its own section (h). The amendment also puts into statute a requirement that the GAL Board inform complainants of the options regarding the resubmission of complaints at the conclusion of a trial or hearing. This language was written with the help of the GAL Board which supports the changes. Vote 9-7.

Rep. Patrick Long for the Minority of Children and Family Law. The minority recognizes consequences with the language proposed in paragraph (g) of the amendment. Changing "shall" to "may" opens the door for parties involved in divorce proceedings to challenge their complaints of appointed guardians ad litem if the GAL Board decided there was not good cause shown while the case is still pending. The Children and Family Law Committee has consistently vetted proposed changes in statute as to its relation with adding conflict to an already conflicted court procedure for both parties. The minority believes this simple change does add conflict.

Majority Amendment (2001h)

Amend the bill by replacing section 1 with the following:

1 Guardian Ad Litem Board; Complaint Investigation Procedures. RSA 490-C:4, I(g) is repealed and reenacted to read as follows:

(g) Investigate and resolve complaints against certified guardians ad litem, and against formerly certified guardians ad litem who are claimed to have engaged in acts or omissions prohibited when certified. In acting on complaints, the board may resolve complaints by agreement and may refer a complaint to the appropriate court for investigation, resolution, or other action. Such referral may be made regardless of whether the allegation or complaint relates to a case which is then pending in court and may be made in lieu of or in addition to any investigatory or disciplinary procedures that the board may itself be authorized to pursue.

(h) Dismiss complaints against certified guardians ad litem without prejudice when the complaint relates to a trial or judicial proceeding in progress, unless the board for good cause votes to proceed immediately with such complaint. When the board dismisses a complaint because the complaint relates to a trial or judicial proceeding in progress, the board shall inform the complainant that he or she may bring the complaint to the attention of the court that appointed the guardian ad litem and that the complainant may resubmit the complaint to the board at the conclusion of the trial or judicial proceeding.

AMENDED ANALYSIS

This bill make changes in the investigation and dismissal procedures of the guardian ad litem board. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 515-FN, relative to oversight of guardians ad litem by the guardian ad litem board. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Alethea Froburg for the Majority of Children and Family Law. It is estimated that this bill will increase state expenditures by approximately \$40,000 in FY 2016, with greater increases in each subsequent year. The Guardian Ad Litem Board does not have the time or resources necessary to analyze data to be collected in approximately 2,600 questionnaires per year. More importantly, even with the current funding, there are not enough guardians ad litem to meet current needs in low-income cases. Vote 12-4. Rep. Daniel Itse for the Minority of Children and Family Law. During the review of the Guardian Ad Litem Board audit it became apparent that there is no general assessment of GAL performance. Given the impact that GAL's can have on the well-being of children and families, the minority of the committee thinks that a method of performance review must be developed. Majority committee report adopted.

HB 128, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. INEXPEDIENT TO LEGISLATE.

Rep. John Hunt for Commerce and Consumer Affairs. This is a classic case of "the devil is in the details." This legislation sounds like a great idea. Unfortunately, no insurance company is interested in engaging in the business model proposed. The legislation is based on the premise that other states may have less expensive health insurance premiums than those available in NH. This may have been true prior to the passage of Obamacare, when other states allowed health insurance companies to set premiums based on the health status of the insured and NH did not. With the passage of Obamacare, all states rate premiums just like NH does. All health insurance policies have guaranteed issue, and premiums are the same within age bands to ensure that everyone pays at the same rate regardless of the person's preexisting health issues, so the major cost difference anticipated by this legislation no longer exists. Mandates could account for some differences in state premium levels, but, at best, health insurance mandates account for less than 5% of the premium and the vast majority of them are also part of the Obamacare law. So, again, there is not much savings there. The most significant

flaw of this legislation is that health insurance companies need to negotiate reimbursement rates with the doctors and hospitals and create networks. An out-of-state insurance company is going to need thousands of customers to have the critical mass to even begin negotiating with the hospitals. No out-of-state insurance company is going to invest the capital required for this without becoming an in-state insurance company. In addition, all insurance companies are regulated by their home state. This legislation requires the NH Insurance Department to generate rules to regulate some aspects of an out-of-state insurer's business. This is beyond the scope of the authority of the Insurance Department. Further, no insurance company is going to want to be partially regulated by the department. Without full regulation, the out-of-state insurance company would be exposed to litigation under the Consumer Protection Act, exposing them to triple damages. The minority of the committee argued that there is no harm in passing this legislation and that other states have passed similar legislation. Currently, no insurance company has taken advantage of the other states' laws. The majority of the committee felt that the Insurance Department should not spend time and resources developing rules when no insurance company is interested in the legislation. Vote 16-4.

Rep. McClarren spoke against.

Rep. Hunt spoke in favor.

Long, Patrick

Martel, Andre

Rep. Sanborn requested a roll call; sufficiently seconded.

Mangipudi, Latha

McNamara, Richard

YEAS 221 NAYS 140

YEAS - 221 BELKNAP

Fields, Dennis Luther, Robert	Flanders, Donald Russell, David	Fraser, Valerie	Hurt, George
	C	ARROLL	
Buco, Thomas McConkey, Mark	Butler, Edward Ticehurst, Susan	Chandler, Gene Umberger, Karen	Crawford, Karel
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Tatro, Bruce	Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy	Berch, Paul Hunt, John Parkhurst, Henry Sad, Tara	Bordenet, John Johnsen, Gladys Pearson, William Shepardson, Marjorie
		COOS	
Fothergill, John Theberge, Robert	Froburg, Alethea Tholl, John	Moynihan, Wayne Thomas, Yvonne	Richardson, Herbert
	G	RAFTON	
Abel, Richard Cooney, Mary Maes, Kevin Sykes, George	Almy, Susan Ford, Susan Massimilla, Linda Townsend, Charles	Brown, Chris Hennessey, Martha Nordgren, Sharon White, Andrew	Brown, Rebecca Ladd, Rick Smith, Suzanne
	HILL	SBOROUGH	
Backus, Robert Biggie, Barbara Cornell, Patricia Flanagan, Jack Gidge, Kenneth Guerette, C. Lee Heath, Mary Jack, Martin	Baroody, Benjamin Booras, Efstathia Cote, David Forest, Armand Goley, Jeffrey Haefner, Robert Herbert, Christopher Kurk, Neal	Beaulieu, Jane Brown, Pamela Danielson, David Freitas, Mary Gorman, Mary Hansberry, Daniel Hinch, Richard LeBrun, Donald	Belanger, James Cohen, Alan DiSilvestro, Linda Gagne, Larry Griffin, Barbara Harvey, Suzanne Infantine, William Leishman, Peter

Manley, Jonathan

O'Brien, Michael

Marston, Dick

Ober, Lynne

	House Journ	al January 6, 2016	
Palmer, Barry	Pellegrino, Anthony	Pierce, David	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Gregory	Snow, Kendall
Soucy, Timothy	Straight, Phillip	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David		·	
,,	MEI	RRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	French, Harold	Gile, Mary	Henle, Paul
Hess, David	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah
	ROC	KINGHAM	
Abrami, Patrick	Azarian, Gary	Belanger, Ronald	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Gordon, Pamela
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Heffron, Frank
Hoelzel, Kathleen	Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Moody, Marcia	Nigrello, Robert	O'Connor, John
Pantelakos, Laura	Potucek, John	Rice, Frederick	Sherman, Thomas
Simpson, Alexis	Sytek, John	Tilton, Rio	Ward, Gerald
Welch, David	•		
	STI	RAFFORD	
Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	Gardner, Janice	Graham, Robert
Gray, James	Horrigan, Timothy	Jones, Laura	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
Ward, Kenneth			
		JLLIVAN	
Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Oxenham, Lee	Rollins, Skip	Schmidt, Andrew
Smith, Steven			
	N	AYS - 140	
	B :	ELKNAP	
Aldrich, Glen	Dumais, Russell	Fisher, Robert	Gallagher, Brian
Howard, Jr., Raymond	LeBreche, Shari	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	
	C	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Nelson, Bill	Parker, Harold	Wright, Ted	,,,
,	•	•	
		HESHIRE	
McConnell, James	Roberts, Kris	Sterling, Franklin	Tilton, Benjamin
		6006	

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Piner Wendy	Shackett Jeffrey	•	•

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Coffey, James	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Gould, Linda	Goulette, William	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Russell
Ohm, Bill	Parison, James	Peterson, Ken	Proulx, Mark
Rice, Kimberly	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Zaricki, Nick

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Lundgren, David	Oligny, Jeffrey	Osborne, Jason
Peckham, Michele	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Spillane, James
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Weyler Kenneth	•	•	•

STRAFFORD

Cheney, Catherine	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	•

SULLIVAN

Converse, Larry Laware, Thomas and the committee report was adopted.

Rep. Leeman voted Nay and intended to vote Yea.

HB 131, relative to renewal of health club memberships. INEXPEDIENT TO LEGISLATE.

Rep. Bart Fromuth for Commerce and Consumer Affairs. The sponsor of this bill sought to end the practice of automatic membership renewals at health clubs. Currently, health clubs are able to offer a 12-month initial membership, but they are prohibited from automatically renewing that membership for more than 1 month at a time. Under this legislation, each gym would be required to have each member come into the facility at the end of the 12 months and physically sign a subsequent agreement. Furthermore, the Consumer Protection Division of the Attorney General's office reported less than 5 complaints regarding gym cancellations over the last 2 years. To the vast majority of Commerce Committee members, this seemed to be an unwarranted and unwelcome burden on both the customer and the business. Vote 19-1.

Committee report adopted.

HB 197-FN, relative to sales and samples provided by wine manufacturers. OUGHT TO PASS WITH AMENDMENT.

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill as amended allows wine manufacturers to set up 2 additional "off site" tasting rooms throughout the state, in which patrons can sample and purchase the manufacturer's fine domestic product. At present, a wine manufacturer may not set up their own permanent storefront away from their manufacturing site. For many of our cherished wine makers not located in or around heavy population centers of the state, it means that they have little opportunity to showcase their brand outside of traffic at their main facility. With this proposed change, a manufacturer in the western part of the state might opt to have storefronts in Portsmouth and North Conway, reaching new customers, hiring new employees, and generating new revenues. This legislation is a true win-win for business and the state. Vote 15-5.

Amendment (2457h)

Amend the bill by replacing all after the enacting clause with the following:

1 Wine Manufacturer License. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors of legal drinking age at said premises may be provided with samples of wine manufactured on the premises for tasting. Samples may be provided either free or for a fee and shall be limited to one 2-ounce sample per label per person. The commission may issue additional licenses to a wine manufacturer to operate no more than 2 additional tasting rooms for both samples and retail sales of its own wine separate and apart from its manufacturing facility, subject to payment of an annual fee of \$420 for each location. Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

2 Effective Date. This act shall take effect January 1, 2017.

Dumaic Ruccall

AMENDED ANALYSIS

This bill authorizes the wine manufacturer to conduct sampling and retail sales at locations other than its manufacturing facility.

Committee amendment adopted.

Aldrich Glan

Weber, Lucy

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Burt requested a roll call; sufficiently seconded.

YEAS 360 NAYS 1

YEAS - 360 BELKNAP

Fields Dennis

Fisher Robert

Aldrich, Glen	Dumais, nussen	rielas, Dellais	ristiei, nobelt
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			
	C	ARROLL	
Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Ticehurst, Susan
Umberger, Karen	Wright, Ted		
	CI	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin

COOS

Fothergill, John Richardson, Herbert Thomas, Yvonne Froburg, Alethea Rideout, Leon Moynihan, Wayne Theberge, Robert

Rappaport, Laurence Tholi, John

GRAFTON

Abel, Richard Brown, Duane Ford, Susan Hull, Robert Maes, Kevin Shackett, Jeffrey White, Andrew

Almy, Susan Brown, Rebecca Gionet, Edmond Ingbretson, Paul Massimilla, Linda Smith. Suzanne Bailey, Brad Cooney, Mary Hennessey, Erin Johnson, Eric Nordgren, Sharon Sykes, George

Brown, Chris Darrow, Stephen Hennessey, Martha Ladd, Rick Piper, Wendy Townsend, Charles

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Boehm, Ralph Burt, John Coffey, James Danielson, David Edelblut, Frank Flanagan, Jack Gidge, Kenneth Goulette, William Halstead, Carolyn Heath, Mary Hopper, Garv Lachance, Joseph Mangipudi, Latha McCarthy, Peggy Moore, Josh O'Brien, Michael Ober, Russell Pellegrino, Anthony Proulx, Mark Rouillard, Claire Scontsas, Lisa Smith, Gregory Stepanek, Stephen Sweeney, Shawn Vann, Ivy Woodbury, David

Ammon, Keith Beaulieu, Jane Booras, Efstathia Byron, Frank Cohen, Alan DiSilvestro, Linda Edwards, Elizabeth Forest, Armand Goley, Jeffrey Griffin, Barbara Hansberry, Daniel Herbert, Christopher Infantine, William LeBrun, Donald Manley, Jonathan McClarren, Donald Murotake, David O'Brien, William Ohm. Bill Peterson, Ken Rice, Kimberly Rowe, Robert Shattuck, Gilman Snow, Kendall Straight, Phillip Takesian, Charlene Walsh, Robert Zaricki, Nick

Backus, Robert Belanger, James Bouldin, Amanda Christensen, Chris Comell, Patricia Donovan, Daniel Estevez, Eric Freitas, Mary Gorman, Mary Guerette, C. Lee Hansen, Peter Hinch, Richard Jack, Martin Leishman, Peter Marston, Dick McLean, Mark Murphy, Keith O'Neil, William Palmer, Barry Pierce, David Roberts, Carol Sanborn, Laurie Shaw, Barbara Soucy, Timothy Sullivan, Daniel Twombly, Timothy Williams, Kermit

Balcom, John Biggie, Barbara Brown, Pamela Christie, Rick Cote, David Eastman, Eric Ferreira, Elizabeth Gagne, Larry Gould, Linda Haefner, Robert Harvey, Suzanne Hogan, Edith Kurk, Neal Long, Patrick Martel. Andre McNamara, Richard Notter, Jeanine Ober, Lynne Parison, James Porter, Mariorie Rosenwald, Cindy Schleien, Eric Simmons, Tammy Souza, Kathleen Sullivan, Victoria Ulery, Jordan Wolf, Terry

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Henle, Paul Horn, Werner Kotowski, Frank MacKay, James McGuire, Dan Patten, Dick Saunderson, George Turcotte, Alan

Bartlett, Christy Deloge, Helen French, Barbara Hess, David Karrick, David Kuch, Bill Marple, Richard Moffett, Howard Ratzki, Mario Schuett, Dianne Wallner, Mary Jane Bradley, Paula Doherty, David French, Harold Hill, Gregory Kenison, Linda Long, Douglas Martin, John Myler, Mel Rice, Chip Seaworth, Brian Walsh. Thomas

Brewster, Michael Ebel, Karen Gile, Mary Hoell, J.R. Kidder, David Luneau, David McGuire, Carol Parent, Jason Rogers, Katherine Shurtleff, Stephen Wheeler, Deborah

ROCKINGHAM

Baldasaro, Alfred Abrami, Patrick Allen, Mary Azarian, Gary Berrien, Skip Bates, David Belanger, Ronald Barnes, Arthur Cali-Pitts, Jacqueline Bush, Carol Cahill, Michael Borden, David Christie, Andrew Chirichiello, Brian Chase, Francis Cardon, G. Thomas DeSimone, Debra Cushing, Robert Dean-Bailey, Yvonne Cook, Allen Elliott, Robert Devine, James DiFranco, Debbie Duarte, Joe Francese, Paula Ferrante, Beverly Fesh, Robert Emerick, J. Tracy Gannon, William Gordon, Pamela Gordon, Richard Friel, William Griffin, Mary Guthrie, Joseph Harris, Jeffrey Green, Dennis Introne, Robert Hodgdon, Bruce Hoelzel, Kathleen Heffron, Frank Itse. Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziei, Walter McKinney, Betsy Matthews, Carolyn Lundgren, David Lovejoy, Patricia Moody, Marcia Nigrello, Robert Milz, David McMahon, Charles Pantelakos, Laura Osborne, Jason O'Connor, John Oligny, Jeffrey Rice. Frederick Prudhomme-O'Brien, Katherine Potucek, John Peckham, Michele Spillane, James Sherman, Thomas Simpson, Alexis Schroadter, Adam Tamburello, Daniel Tasker, Kvle Sytek, John Sweeney, Joe Tilton, Rio Vose, Michael Thomas, Douglas Tucker, Pamela Welch, David Ward, Gerald Ward, Joanne Webb, James Weyler, Kenneth STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DeLemus, Susan
Gardner, Janice	Graham, Robert	Gray, James	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Wall, Janet	Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

NAYS - 1 ROCKINGHAM

McBeath, Rebecca

and the committee report was adopted and ordered to third reading.

HB 601-FN, relative to cash dispensing machine requirements. OUGHT TO PASS WITH AMEND-MENT.

Rep. Edward Butler for Commerce and Consumer Affairs. As originally submitted, this bill would have removed any notification to the Banking Department for privately owned and operated cash dispensing machines. As amended, it will continue to require registration of such machines, but will reduce the renewal fee to just \$5 annually. The Banking Department has stated that this reduced fee will cover the cost of filing the basic reports of ownership, address and contact information. Vote 18-2.

Amendment (2527h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Notice: Cash Dispensing Machines. Amend RSA 399-F:3, I(b) to read as follows:
 - (b) Fee of \$50 payable to the state of New Hampshire [in certified funds].
 - 2 Notice; Cash Dispensing Machines. Amend RSA 399-F:3, II to read as follows:
- II. Commencing in the calendar year following an operator's compliance with paragraph I, the operator shall provide annually before July 1 to the commissioner a notice and fee in accordance with the provisions of [subparagraphs] subparagraph I(a) [and I(b)] and a renewal fee of \$5 payable to the state of New Hampshire.

3 Notice; Cash Dispensing Machines. Amend RSA 399-F:3, V to read as follows:

V. The operator of a cash dispensing machine who fails to completely and accurately abide by this section shall not legally establish or operate such cash dispensing machine until [section] paragraph I is fully complied with, except that a fee of \$100, [rather than \$50,] shall be paid.

4 Repeal. RSA 399-F:5, II, relative to fees collected for the operation of cash dispensing machines,

is repealed.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill sets a renewal fee for operators of cash dispensing machines. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Schleien requested a roll call; not sufficiently seconded.

Committee report adopted and ordered third reading.

SB 75, relative to unfair trade practices targeting veterans. REFER FOR INTERIM STUDY.

Rep. John Bordenet for Commerce and Consumer Affairs. This bill prohibits a business from charging veterans an unreasonable fee for aid or services and makes such conduct a violation of the Consumer Protection Act. While the Commerce Committee has a favorable opinion of this bill, we believe it is not ready to be passed in its present form. We would also like to gather additional material before making this bill law. Vote 13-4.

Reps. Luneau and Williams spoke against.

Rep. Bordenet spoke in favor.

Rep. Hunt spoke in favor and yielded to questions.

On a division vote, with 213 members having voted in the affirmative and 141 in the negative, the committee report was adopted.

SB 110-FN, establishing the administrative supervision act. OUGHT TO PASS WITH AMENDMENT. Rep. Edward Butler for Commerce and Consumer Affairs. The primary and fundamental responsibility of the NH Insurance Department is to ensure that NH "domestic" insurance companies are solvent and able to make the payments owed to consumers. Under New Hampshire insurance law, the Insurance Commissioner is the one who rehabilitates or liquidates a financially impaired domestic insurance company. This happens under court supervision. This bill is designed to give the commissioner a tool to address a company in financial peril, which is less interventionist than rehabilitation or liquidation. It is called administrative supervision, and it is based on a model law developed by the National Association of Insurance Commissioners that has been passed, in one form or another, in 30 states. Under current law, the NH Insurance Department regularly audits our domestic companies and if it becomes clear to the department that the insurance company is under distress, the department has the option to put the company under formal rehabilitation or liquidation or to enter into an agreed administrative order under which the company remains in control of its operation but is subject to certain operating restrictions necessary to improve its financial position. The new administrative supervision process, outlined by this bill, allows the Insurance Department to work confidentially with the insurer so as to avoid liquidation or having a judge run the company under court supervised rehabilitation, but only with the insurance company's expressed written agreement. Therefore this statute can only be used if the insurance company chooses to do this. The benefit to the insurance company is that this legislation sets out the ground rules to protect the insurance company's rights by stating the structure in which the Insurance Department implements administrative supervision. This bill establishes standards for what has historically been an ad hoc process. The other benefit to the insurance company is that this process is nonpublic to avoid market disruption. Insurance companies rarely survive court rehabilitation, in part because of the inevitable loss of consumer confidence in the company. In reality, a nonpublic process is sometimes the only way to be successful in improving the company's financial position. Importantly, this law will only be used under limited circumstances and is based on the Insurance Department's determination that the insurance company can make good on its obligations. The amendment, which was a request of the minority, states that the Insurance Department's immunity is limited to actions that are within the scope of its powers and duties under this chapter that are performed in good faith and not in a wanton or reckless manner. Vote 13-6.

Amendment (1241h)

Amend RSA 402-L:11 as inserted by section 1 of the bill by replacing it with the following:

402-L:11 Immunity. There shall be no liability on the part of, and no cause of action of any nature shall arise against, the commissioner or the department or their employees, agents, consultants, or counsel for any action taken by them that is within the scope of their powers and duties under this chapter and that is performed in good faith and not in a wanton or reckless manner. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Butler spoke in favor and yielded to questions.

Rep. Ammon spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 211 NAYS 149

YEAS - 211

]	BELKNAP	
Fields, Dennis	Flanders, Donald	Fraser, Valerie	Vadney, Herbert
		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Ticehurst, Susan	Umberger, Karen
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	
		coos	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	
	•	GRAFTON	
Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Martha
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			
	HIL	LSBOROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Christopoon Chris	Coffor James	Cohon Alan	Cornell Patricia

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Flanagan, Jack	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Infantine, William	Jack, Martin
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McNamara, Richard	O'Brien, Michael
O'Neil, William	Ober, Lynne	Pellegrino, Anthony	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

Hull, Robert

Ingbretson, Paul

Johnson, Eric

Piper, Wendy

	M	ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
French, Harold	Gile, Mary	Henle, Paul	Hess, David
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	
	RO	CKINGHAM	
Abrami, Patrick	Allen, Mary	Azarian, Gary	Belanger, Ronald
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Christie, Andrew	Cushing, Robert
DeSimone, Debra	Devine, James	DiFranco, Debbie	Elliott, Robert
Ferrante, Beverly	Francese, Paula	Friel, William	Gordon, Pamela
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Kolodziej, Walter
Lovejoy, Patricia	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Moody, Marcia	O'Connor, John
Pantelakos, Laura	Peckham, Michele	Sherman, Thomas	Simpson, Alexis
Sytek, John	Tilton, Rio	Ward, Gerald	Woitkun, Steven
	ST	RAFFORD	
Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	Gardner, Janice	•
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Gray, James Leeman, Don
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth
otovona, Addrey	rreleaven, Susan	waii, Jariet	ward, Kenneth
	-	ULLIVAN	
Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew
Smith, Steven			
		AYS - 149	
		BELKNAP	
Aldrich, Glen	Dumais, Russell	Fisher, Robert	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Russell, David	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Varney, Peter			
		CARROLL	
Avellani, Lino Parker, Harold	Comeau, Ed Wright, Ted	Cordelli, Glenn	McCarthy, Frank
rainer, riaioid	wingint, rea		
		HESHIRE	
McConnell, James	Sterling, Franklin	Tilton, Benjamin	
		coos	
Rappaport, Laurence	Rideout, Leon		
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Hull Bohert	Inchreteon Paul	Johnson Eric	Piper Wendy

HILLSBOROUGH

Adams, Christopher Byron, Frank Eastman, Eric Ferreira, Elizabeth Goulette, William Hogan, Edith Marston, Dick Moore, Josh O'Brien, William Parison, James Sanborn, Laurie	Ammon, Keith Christie, Rick Edelblut, Frank Gagne, Larry Griffin, Barbara Hopper, Gary Martel, Andre Murotake, David Ober, Russell Peterson, Ken Schleien, Eric	Boehm, Ralph Danielson, David Edwards, Elizabeth Gidge, Kenneth Halstead, Carolyn Lachance, Joseph McClarren, Donald Murphy, Keith Ohm, Bill Rice, Kimberly Scontsas, Lisa	Burt, John Donovan, Daniel Estevez, Eric Gould, Linda Hansen, Peter LeBrun, Donald McLean, Mark Notter, Jeanine Palmer, Barry Rowe, Robert Simmons, Tammy
Sanborn, Laurie Smith, Gregory Sullivan, Victoria	Souza, Kathleen Twombly, Timothy	Stepanek, Stephen Ulery, Jordan	Straight, Phillip Zaricki, Nick

MERRIMACK

Brewster, Michael	Deloge, Helen	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Seaworth, Brian			

ROCKINGHAM

Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	Doucette, Fred
Duarte, Joe	Emerick, J. Tracy	Fesh, Robert	Gannon, William
Gordon, Richard	Green, Dennis	Griffin, Mary	Harris, Jeffrey
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Lundgren, David	Nigrello, Robert	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sweeney, Joe	Tamburello, Daniel	Thomas, Douglas
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		

STRAFFORD

Cheney, Catherine	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Mullen, John	Pitre, Joseph
Sprague, Dale	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted and ordered to third reading.

(Rep. Chandler in the Chair) MOTION TO PRINT REMARKS

Rep. Hoell moved that the remarks made by Rep. Ammon be printed in the Permanent Journal. Speaker Jasper spoke against and yielded to questions.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 104 NAYS 255

YEAS - 104 BELKNAP

Aldrich, Glen Howard, Jr., Raymond	Dumais, Russell Hurt, George	Fisher, Robert Spanos, Peter	Gallagher, Brian Sylvia, Michael
Varney, Peter		CARROLL	
		CARROLL	
Accellent Line	Company Ed	Cardelli Clana	MaCarthy Frank

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank Wright, Ted

Mann, John

Roberts, Kris

Tatro, Bruce

Parkhurst, Henry

Sad, Tara

Weber, Lucy

CHESHIRE Ames, Richard McConnell, James Robertson, Timothy Tilton, Benjamin COOS Rappaport, Laurence Rideout, Leon GRAFTON Abel, Richard Brown, Chris Brown, Duane Darrow, Stephen Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Shackett, Jeffrey HILLSBOROUGH Adams, Christopher Ammon, Keith Burt, John Christie, Rick Coffey, James Eastman, Eric Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Gould, Linda Goulette, William Halstead, Carolyn Hansen, Peter Hogan, Edith Hopper, Gary Lachance, Joseph Manley, Jonathan Marston, Dick McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith O'Brien, William Ohm, Bill Parison, James Prouix, Mark Sanborn, Laurie Schleien, Eric Scontsas, Lisa Simmons, Tammy Souza, Kathleen Stepanek, Stephen Zaricki, Nick MERRIMACK Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Martin, John McGuire, Dan Parent, Jason Seaworth, Brian ROCKINGHAM Baldasaro, Alfred Bates, David Borden, David Cook, Allen Duarte, Joe Elliott, Robert Gannon, William Gordon, Richard Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Lundgren, David Nigrello, Robert Osborne, Jason Peckham, Michele Prudhomme-O'Brien, Katherine Schroadter, Adam Spillane, James Tamburello, Daniel Thomas, Douglas Tucker, Pamela Vose, Michael STRAFFORD Bixbv. Peter Cheney, Catherine DeLemus, Susan Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas Turcotte, Leonard Whitehouse, Joshua SULLIVAN Irwin, Virginia **NAYS - 255** BELKNAP Fields, Dennis Flanders, Donald Fraser, Valerie LeBreche, Shari Luther, Robert Russell, David Tilton, Franklin Vadney, Herbert CARROLL Buco, Thomas Butler, Edward Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold Ticehurst, Susan Umberger, Karen CHESHIRE Abbott, Michael Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Hunt, John Johnsen, Gladys Ley, Douglas

Pearson, William

Shepardson, Mariorie

Phillips, Larry

Sterling, Franklin

COOS

Fothergill, John Froburg, Alethea Moynihan, Wayne Theberge, Robert Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Bailey, Brad Brown, Rebecca Cooney, Mary

Almy, Susan Bailey, Brad Brown, Rebecca Cooney, Mary
Ford, Susan Gionet, Edmond Hennessey, Martha Ladd, Rick
Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy
Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Balcom, John Backus, Robert Biggie, Barbara Belanger, James Byron, Frank Brown, Pamela Cote, David Cornell, Patricia Edelblut, Frank Donovan, Daniel Freitas, Mary Gagne, Larry Gorman, Mary Griffin, Barbara Hansberry, Daniel Harvey, Suzanne Hinch, Richard Infantine, William LeBrun, Donald Kurk, Neal Martel. Andre Mangipudi, Latha Notter, Jeanine O'Brien, Michael Ober, Russell Palmer, Barry Porter, Marjorie Pierce, David Rouillard, Claire Rowe, Robert Smith, Gregory Snow, Kendali Sullivan, Victoria Sullivan, Daniel Ulery, Jordan Vann, Ivv

Baroody, Benjamin Boehm, Raiph Christensen, Chris Danielson, David Flanagan, Jack Gidge, Kenneth Guerette, C. Lee Heath, Mary Jack, Martin Leishman, Peter McCarthy, Peggy O'Neil, William Pellegrino, Anthony Rice, Kimberly Shattuck, Gilman Soucy, Timothy Takesian, Charlene Walsh, Robert

Beaulieu, Jane Booras, Efstathia Cohen, Alan DiSilvestro, Linda Forest, Armand Goley, Jeffrey Haefner, Robert Herbert, Christopher Jasper, Shawn Long, Patrick McNamara, Richard Ober, Lynne Peterson, Ken Rosenwald, Cindy Shaw, Barbara Straight, Phillip Twombly, Timothy Williams, Kermit

MERRIMACK

Alicea, Caroletta Bartlett, Christy Doherty, David Deloge, Helen Gile, Mary French, Barbara Karrick, David Kenison, Linda Luneau, David Long, Douglas Moffett, Howard McGuire, Carol Ratzki, Mario Rice, Chip Shurtleff, Stephen Schuett, Dianne Wheeler, Deborah Walsh, Thomas

Bradley, Paula Ebel, Karen Henle, Paul Kidder, David MacKay, James Myler, Mel Rogers, Katherine Turcotte, Alan Carson, Clyde Frazer, June Hess, David Kotowski, Frank Marple, Richard Patten, Dick Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
Christie, Andrew
Devine, James
Ferrante, Beverly
Gordon, Pamela
Harris, Jeffrey
Katsakiores, Phyllis
McBeath, Rebecca
Moody, Marcia
Rice, Frederick
Sytek, John
Webb, James

Wolf, Terry

Allen, Mary Berrien, Skip Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Fesh, Robert Green, Dennis Heffron, Frank Kolodziej, Walter McKinney, Betsy O'Connor, John Sherman, Thomas Tilton, Rio Welch, David

Woodbury, David

Azarian, Gary
Bush, Carol
Chase, Francis
Dean-Bailey, Yvonne
Doucette, Fred
Francese, Paula
Griffin, Mary
Hoelzel, Kathleen
Lovejoy, Patricia
McMahon, Charles
Pantelakos, Laura
Simpson, Alexis
Ward, Gerald
Weyler, Kenneth

Barnes, Arthur Cahill, Michael Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Friel, William Guthrie, Joseph Introne, Robert Matthews, Carolyn Milz, David Potucek, John Sweeney, Joe Ward, Joanne Woitkun, Steven

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Graham, Robert	Gray, James
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Leeman, Don
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	Wuelper, Kurt

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Laware, Thomas Oxenham, Lee Rollins, Skip Schmidt, Andrew

and the motion failed.

MOTION TO SPECIAL ORDER

Rep. Steven Smith moved that **HB 504**, relative to online driver education, be made a Special Order as the first order of business after the lunch recess.

Rep. Steven Smith spoke in favor.

Motion adopted.

MOTION TO SPECIAL ORDER

Rep. Introne moved that **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors, be made a Special Order as the second order of business after the lunch recess.

Rep. Introne spoke in favor.

Motion adopted.

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair) MOTION TO SPECIAL ORDER

Rep. Oligny moved that **HB 405-FN**, requiring the department of health and human services to license supervised visitation centers, be made a Special Order as the last order of business of the day. Rep. Oligny spoke in favor.

Motion adopted.

REGULAR CALENDAR CONT'D

SPECIAL ORDER

HB 504, relative to online driver education. INEXPEDIENT TO LEGISLATE.

Rep. George Sykes for Transportation. HB 504 sought to allow an on-line instructional module, approved by the Department of Safety, to be one method for a person to successfully complete the requirements for classroom instruction found in RSA 263:19, I. Discussion brought up questions of effectiveness, effect on existing driver's education businesses, and if a mix of on-line and in class instruction was the best method, with no clear answers at this time. Vote 10-7.

Rep. Gagne spoke against.

Reps. Sykes and Thomas Walsh spoke in favor and yielded to questions.

Rep. Sad spoke against and yielded to questions.

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 111 NAYS 242

YEAS - 111 BELKNAP

Dumais, Russell LeBreche, Shari Luther, Robert Russell, David

	R		

	C	AKKULL	
Buco, Thomas Nelson, Bill	Chandler, Gene Ticehurst, Susan	Crawford, Karel Umberger, Karen	McConkey, Mark Wright, Ted
	C	HESHIRE	
Abbott, Michael Ley, Douglas	Ames, Richard Parkhurst, Henry	Berch, Paul Phillips, Larry	Hunt, John Sterling, Franklin
Tatro, Bruce		coos	
Richardson, Herbert	Theberge, Robert	Tholl, John	
	G	RAFTON	
Abel, Richard	Bailey, Brad	Brown, Duane	Ford, Susan
Hennessey, Erin Sykes, George	Hennessey, Martha	Ladd, Rick	Massimilla, Linda
	HILI	SBOROUGH	
Backus, Robert Cornell, Patricia Forest, Armand Hinch, Richard Mangipudi, Latha Palmer, Barry Rowe, Robert Soucy, Timothy	Balcom, John Cote, David Gargasz, Carolyn Infantine, William O'Brien, Michael Proulx, Mark Scontsas, Lisa Souza, Kathleen	Baroody, Benjamin DiSilvestro, Linda Gorman, Mary Kurk, Neal O'Neil, William Rice, Kimberly Shattuck, Gilman Vann, Ivy	Beaulieu, Jane Flanagan, Jack Hansberry, Daniel Long, Patrick Ober, Lynne Rosenwald, Cindy Shaw, Barbara Woodbury, David
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All O delle		ERRIMACK	Honle Boul
Alicea, Caroletta Hess, David Patten, Dick Wallner, Mary Jane	Frazer, June Kotowski, Frank Rogers, Katherine Walsh, Thomas	Gile, Mary Long, Douglas Schuett, Dianne Wheeler, Deborah	Henle, Paul Moffett, Howard Shurtleff, Stephen
	RO	CKINGHAM	
Abrami, Patrick Doucette, Fred Gordon, Richard Introne, Robert Rice, Frederick	Allen, Mary Elliott, Robert Heffron, Frank Lovejoy, Patricia Sytek, John	Dean-Bailey, Yvonne Fesh, Robert Hodgdon, Bruce Matthews, Carolyn Woitkun, Steven	Devine, James Gannon, William Hoelzel, Kathleen Moody, Marcia
	ST	RAFFORD	
Berube, Roger Rollo, Deanna Ward, Kenneth	Burton, Wayne Schmidt, Peter	Gardner, Janice Sprague, Dale	Horrigan, Timothy Wall, Janet
	S	ULLIVAN	
Grenier, James	Oxenham, Lee	Rollins, Skip	
	N	IAYS - 242	
	_	BELKNAP	
Aldrich, Glen Fraser, Valerie Spanos, Peter Varney, Peter	Fields, Dennis Gallagher, Brian Sylvia, Michael	Fisher, Robert Howard, Jr., Raymond Tilton, Franklin	Flanders, Donald Hurt, George Vadney, Herbert
		CARROLL	0
Avellani, Lino McCarthy, Frank	Butler, Edward	Comeau, Ed	Cordelli, Glenn

CHESHIRE

Bordenet, John McConnell, James Sad. Tara

Eaton, Daniel Pearson, William Shepardson, Marjorie Johnsen, Gladys Roberts, Kris Tilton, Benjamin Mann, John Robertson, Timothy Weber, Lucy

COOS

Fothergill, John Rideout, Leon Froburg, Alethea Thomas, Yvonne Moynihan, Wayne

Rappaport, Laurence

GRAFTON

Almy, Susan Darrow, Stephen Johnson, Eric Shackett, Jeffrey Brown, Chris Gionet, Edmond Maes, Kevin Smith, Suzanne Brown, Rebecca Hull, Robert Nordgren, Sharon Townsend, Charles Cooney, Mary Ingbretson, Paul Piper, Wendy

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Byron, Frank Cohen, Alan Edelblut, Frank Freitas, Marv Goulette, William Hansen, Peter Hogan, Edith LeBrun, Donald McCarthy, Peggy Moore, Josh O'Brien, William Pellegrino, Anthony Roberts, Carol Simmons, Tammy Straight, Phillip Ulery, Jordan

Ammon, Keith Booras, Efstathia Christensen, Chris Danielson, David Edwards, Elizabeth Gagne, Larry Griffin, Barbara Harvey, Suzanne Hopper, Gary Leishman, Peter McClarren, Donald Murotake, David Ober, Russell Peterson, Ken Rouillard, Claire Smith, Gregory Sullivan, Victoria Walsh, Robert

Belanger, James Brown, Pamela Christie. Rick Donovan, Daniel Estevez, Eric Gidge, Kenneth Haefner, Robert Heath, Mary Jack, Martin Manley, Jonathan McLean, Mark Murphy, Keith Ohm, Bill Pierce, David Sanborn, Laurie Snow, Kendall Takesian, Charlene Williams, Kermit

Biggie, Barbara Burt, John Coffey, James Eastman, Eric Ferreira, Elizabeth Gould, Linda Halstead, Carolyn Herbert, Christopher Lachance, Joseph Marston, Dick McNamara, Richard Notter, Jeanine Parison, James Porter, Marjorie Schleien, Eric Stepanek, Stephen Twombly, Timothy Wolf, Terry

MERRIMACK

Bartlett, Christy Deloge, Helen French, Harold Karrick, David MacKay, James McGuire, Dan Rice, Chip

Zaricki, Nick

Doherty, David Hill, Gregory Kidder, David Marple, Richard Myler, Mel Saunderson, George

Bradley, Paula

Brewster, Michael Ebel, Karen Hoell, J.R. Kuch, Bill Martin, John Parent, Jason Seaworth, Brian Carson, Clyde French, Barbara Horn, Werner Luneau, David McGuire, Carol Ratzki, Mario Turcotte, Alan

ROCKINGHAM

Azarian, Gary Belanger, Ronald Cahill, Michael Chirichiello, Brian DiFranco, Debbie Francese, Paula Griffin, Mary Kappler, Lawrence McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Schroadter, Adam

Baldasaro, Alfred Berrien, Skip Cali-Pitts, Jacqueline Cook, Allen Duarte, Joe Friel, William Guthrie, Joseph Katsakiores, Phyllis McKinney, Betsy O'Connor, John Peckham, Michele Sherman, Thomas Barnes, Arthur Borden, David Cardon, G. Thomas Cushing, Robert Emerick, J. Tracy Gordon, Pamela Harris, Jeffrey Kolodziej, Walter McMahon, Charles Oligny, Jeffrey Potucek, John Simpson, Alexis Bates, David Bush, Carol Chase, Francis DeSimone, Debra Ferrante, Beverly Green, Dennis Itse, Daniel Lundgren, David Milz, David Osborne, Jason

Prudhomme-O'Brien, Katherine

Spillane, James

Sweeney, Joe Tucker, Pamela	Tamburello, Daniel Vose, Michael Welch, David	Thomas, Douglas Ward, Gerald Weyler, Kenneth	Tilton, Rio Ward, Joanne
• •	•	, ,	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Cheney, Catherine
Cilley, Jacalyn	DeLemus, Susan	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Turcotte Leonard	Whitehouse Joshua	Wuelper, Kurt	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	Schmidt, Andrew	Smith, Steven

and the committee report failed.

Rep. DeSimone voted Nay and intended to vote Yea.

Rep. Sad moved Ought to Pass.

Motion adopted and ordered to third reading.

SPECIAL ORDER

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill sought to establish energy infrastructure corridors along existing transportation rights-of-way, particularly Interstate's 89/93/95 and Rte. 101. NHDOT testified that infrastructure developers could request the siting of transmission lines on this land today. Department spokespeople further testified that these highway corridors did not always offer disturbed soil as proponents advocated. This bill was patterned off similar legislation in Maine, but added underground burial as a preference, where Maine's law never mentioned underground installation. The bill would have required a utility to move, at its own expense, any buried line should the highway itself be moved. No developer/utility showed up to support this bill. Vote 11-9.

Rep. Howard Moffett for the Minority of Science, Technology and Energy. This bill sets in place a process by which the Site Evaluation Committee in conjunction with the Department of Transportation can approve energy infrastructure development in established infrastructure corridors including Interstates 93, 91, and 95, and Route 101 between Manchester and Interstate 95. Project developers will have the option to apply to use these energy infrastructure corridors for all or part of any energy transmission project. These corridors along, within, and under major state-owned transportation routes can offer project developers an option for siting energy infrastructure projects, and can provide the state with revenue from the leasing of the corridors. Knowing that the current designated corridors are limited, the bill also sets up a commission to study the establishment of additional energy infrastructure corridors in the state.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Suzanne Smith spoke against and yielded to questions.

Reps. Vadney and Richardson spoke in favor and yielded to questions.

Rep. Moffett spoke against.

Rep. Danielson requested a roll call; not sufficiently seconded.

On a division vote, with 165 members having voted in the affirmative and 187 in the negative, the majority committee report failed.

Rep. Moffett moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (2326h).

Minority Amendment (2326h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The legislature recognizes that high and volatile energy costs increasingly threaten the competitiveness of New Hampshire's businesses and industries and the financial resources

of its electric ratepayers, and that new low-cost sources of energy are needed in order to stabilize and lower wholesale and retail electric rates in New Hampshire and New England. At the same time, as the state's citizens have become more aware of the value, to themselves and others, of New Hampshire's scenic natural landscapes, clean air, and unspoiled environment, it has become increasingly difficult to site and develop large-scale above-ground energy transmission lines from lower-cost neighboring regions. Such projects often face unacceptably high development costs, regulatory delays, and public opposition resulting from their potential adverse impacts on the state's most scenic natural landscapes, the value of adjoining and nearby private properties, and the comfort, health, and safety of adjacent homeowners. The general court therefore finds that it is in the public interest for the state to designate certain "energy infrastructure corridors" along, within, and under major state-owned transportation routes, for the underground collocation of major energy transmission lines necessary to promote balanced economic growth, reduce or mitigate high energy prices, and contribute to a cleaner and more natural environment, while providing the state highway fund with market-based revenues from private energy transmission companies in return for the use of such designated energy infrastructure corridors.

2 New Chapter; Energy Infrastructure Development and Corridors. Amend RSA by inserting after

chapter 162-Q the following new chapter:

CHAPTER 162-R

ENERGY INFRASTRUCTURE DEVELOPMENT AND CORRIDORS

162-R:1 Definitions.

- I. "Energy infrastructure" includes high voltage DC or AC electric transmission facilities of 115 kV or greater, natural gas transmission lines, carbon dioxide pipelines, petroleum pipelines, and other energy transport pipelines or conduits.
- II. "Energy infrastructure corridor" means an existing state-owned transportation right-of-way within which energy infrastructure could potentially be sited underground.
- III. "Developer" means a person or legal entity that can demonstrate to the state the financial, technical, and managerial capability to engage in the development and construction of energy infrastructure.
- IV. "Project" means the development or construction of energy infrastructure subject to site evaluation committee jurisdiction under RSA 162-H within an energy infrastructure corridor.
 - V. "Site evaluation committee" means the site evaluation committee established in RSA 162-H:3.
- VI. "State-owned transportation right-of-way" means a highway or railroad right-of-way on land owned in fee by the state or a state agency or state authority.
- VII. "Sufferance" means that the owner of energy infrastructure has no real property interest in the right-of-way, but merely occupies and uses the public right-of-way subject to terms and conditions established by the New Hampshire department of transportation.
 - 162-R:2 Energy Infrastructure Corridors Designated.
- I. In accordance with RSA 236:18, the state has the exclusive rights, insofar as they do not conflict with any federal statute, rule, or regulation, to build, lease, or utilize for any public purpose the space adjacent to (excluding the median) and below the toll highways and the interstate system highways within the state.
 - II. The following areas, owned by the state, are designated as energy infrastructure corridors:
 - (a) I-89 (between the intersection of I-93 and the Vermont border).
- (b) I-93 (between the Massachusetts border and the Vermont border, excepting approximately 1.7 miles located in the White Mountain National Forest north of Franconia Notch state park).
 - (c) I-95 (between the Massachusetts border and the Maine border).
 - (d) NH Route 101 (between the intersection of I-93 and the intersection of I-95).
- III. Nothing in this chapter shall require a developer of energy infrastructure to site or propose to site an energy infrastructure project, or any part thereof, within an energy infrastructure corridor designated under this chapter.
 - 162-R:3 Energy Infrastructure Proposal Application Process.
- I.(a) To initiate the application process, a developer shall file with the department of transportation, a request for a preliminary conceptual feasibility study, including such project-specific information as the department may specify in accordance with the department's Utility Accommodation Manual.
- (b) The developer shall be responsible for all reasonable costs incurred by the department in the preparation of such conceptual feasibility study, including reimbursement for the time of department employees and contractors and all reasonable expenses.

(c) Within 30 days after such study request is filed, the department shall provide written notice to the developer, with a copy to the site evaluation committee, either accepting such study request as sufficiently complete to allow the department to evaluate the conceptual feasibility of the proposal and submit its recommendation to the committee, or specifying the additional information needed to complete its evaluation. The notice shall include an estimate of the department's costs to complete the requested conceptual feasibility study.

(d) Upon notice to the developer that the study request is deemed sufficiently complete for its purposes under subparagraph (a), and payment by the developer of 1/2 of the estimated cost of the study to the department, the department shall have 60 days to determine whether and to what extent the proposed project route would be conceptually feasible within the applicable state-owned transportation right-of-way or rights-of-way, based on department standards and regulations.

(e) Within 60 days after notice to the developer that its submission has been deemed complete, the department shall submit its report on the conceptual feasibility of the project to the developer and the site evaluation committee, specifying any concerns or issues it believes the committee should consider in its review of the application, and shall invoice the developer for the balance of the actual costs of the conceptual feasibility study, as determined by the department.

II.(a) The site evaluation committee shall take no action on an application to develop and construct energy infrastructure within an energy infrastructure corridor unless and until it and the developer have received a report from the department of transportation indicating whether and to what extent the proposed project is conceptually feasible within the proposed transportation right-of-way or rights-of-way, and specifying any concerns or issues the department believes the committee should consider.

(b) Upon receipt of a report from the department indicating that the proposed project is conceptually feasible within the applicable transportation right-of-way or rights-of-way, in whole or in part, and that the department has received from the developer payment in full for the actual cost of the department's completed feasibility study, the developer may file an application for the project with the site evaluation committee.

(c) The committee shall determine whether the application is complete, and shall proceed to review a completed application under RSA 162-H.

162-R:4 Energy Infrastructure Proposal; Decision Criteria.

I. The site evaluation committee shall evaluate and render a decision on an energy infrastructure proposal under RSA 162-H, giving preference wherever practicable to proposed routing within energy infrastructure corridors.

II. The site evaluation committee may approve an energy infrastructure proposal for a project to be sited in whole or in part within one or more energy infrastructure corridors only if it finds that the project meets the criteria set forth in RSA 162-H:16, IV(a)-(e), including the public interest standard set forth therein.

III. In determining whether an energy infrastructure project proposed to be sited within an energy infrastructure corridor is in the public interest, the committee shall, at a minimum, consider the extent to which the proposal:

(a) Materially enhances or at least does not harm transmission opportunities for energy generation facilities located within the state;

(b) Provides economic benefits for the state, including but not limited to direct financial benefits, employment opportunities, and the potential for economic development;

(c) Provides for efficient use of designated energy infrastructure corridors through collocation of energy infrastructure, collaboration between energy infrastructure developers, and the preservation of options for future uses;

(d) Minimizes conflicts with the public purposes for which the state-owned land or asset is or is likely to be used and any management plans for the land or asset within the corridor, and, when necessary, mitigates unavoidable impacts;

(e) Limits and mitigates the effects of energy infrastructure on the landscape, using underground installation;

(f) Increases the energy reliability, security, and independence of the state; and

(g) Contributes to the potential reduction of greenhouse gases, compared to alternative fossil-fueled energy sources.

162-R:5 Use of Energy Infrastructure Corridors; Requirements. Development and construction of energy infrastructure within an energy infrastructure corridor are governed by this section. No person shall engage in development or construction of energy infrastructure within an energy infrastructure corridor, unless such person is in compliance with applicable state and federal laws, rules, and regulations. Any development, construction, maintenance or use of energy infrastructure within an energy infrastructure corridor shall be at the sufferance of the department of transportation. All costs associated with installation, alteration, relocation (whether or not required by the department), and/or protection of energy infrastructure within an energy infrastructure corridor shall be the responsibility of the energy infrastructure developer or owner.

162-R:6 Revenues.

I. The department of transportation, right-of-way (ROW) appraisal bureau section, shall identify an initial estimate of the range of value for the use of state-owned land or assets within a designated energy infrastructure corridor. The actual and final value shall be established by the long range capital planning and utilization committee.

II. All revenues generated from the use of state-owned land or assets within energy infrastructure corridors designated under this chapter shall be deposited in the highway fund for use solely in state transportation programs funded in whole or in part by the Federal Highway Administration or other federal agencies and included in the state's 10-year transportation plan. Nothing in this section shall be deemed to affect the responsibility of a developer to pay separately to the site evaluation committee the fees required under RSA 162-H.

162-R:7 Commission to Study the Designation of Additional Energy Infrastructure Corridors.

I. There is established a commission to study and recommend a process for the designation of energy infrastructure corridors in addition to the statutory corridors designated in this chapter. Among other questions, the commission shall consider the practicability, and the potential means, if any, of designating energy infrastructure corridors along highway or railroad rights-of-way used by the state for highway or other transportation purposes, although not owned by the state.

II. The members of the commission shall be as follows:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
 - (c) The commissioner of the department of transportation, or designee.
 - (d) The director of the office of energy and planning, or designee.
 - (e) The chairman of the site evaluation committee, or designee.
- III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

- 3 Repeal. RSA 162-R:7, relative to the commission to study energy infrastructure corridors, is repealed.
 - 4 Effective Date.
 - I. RSA 162-R:7, as inserted by section 2 of this act, shall take effect upon its passage.
 - II. Section 3 of this act shall take effect November 1, 2016.
 - III. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes procedures for approval of proposals for energy infrastructure development and designates energy infrastructure corridors. The bill also establishes a commission to study the designation of additional energy infrastructure corridors.

On a division vote, with 225 members having voted in the affirmative and 127 in the negative, the minority committee amendment was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment.

MOTION TO LAY ON THE TABLE

Rep. Flanagan moved that **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors, be laid on the table.

Rep. Richardson requested a roll call; sufficiently seconded.

YEAS 116 NAYS 241

YEAS - 116 BELKNAP

Aldrich, Glen Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Luther, Robert Russell, David Spanos, Peter Sylvia, Michael Tilton, Franklin Vadney, Herbert

CARROLL

Comeau, Ed

CHESHIRE

Chase, Cynthia Eaton, Daniel Hunt, John Ley, Douglas McConnell, James

COOS

Richardson, Herbert

GRAFTON

Gionet, Edmond

HILLSBOROUGH

Adams, Christopher Backus, Robert Balcom, John Baroody, Benjamin Biggie, Barbara Boehm, Ralph Burt, John Danielson, David DiSilvestro, Linda Estevez, Eric Flanagan, Jack Gould, Linda Goulette, William Griffin, Barbara Guerette, C. Lee Halstead, Carolyn Hansen, Peter Hopper, Gary Infantine, William LeBrun, Donald Long, Patrick McCarthy, Peggy McLean, Mark Moore, Josh Notter, Jeanine Murotake, David O'Brien, Michael O'Brien, William O'Neil, William Ober, Lynne Ober, Russell Ohm. Bill Pellegrino, Anthony Rosenwald, Cindy Rouillard, Claire Rowe, Robert Scontsas, Lisa Smith, Gregory Soucy, Timothy Souza, Kathleen Stepanek, Stephen Straight, Phillip Sullivan, Daniel Williams, Kermit Wolf, Terry

MERRIMACK

Brewster, Michael French, Harold Horn, Werner Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Allen, Mary Barnes, Arthur Bates, David Cali-Pitts, Jacqueline Chirichiello, Brian Cushing, Robert Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Gannon, William Gordon, Richard Green, Dennis Harris, Jeffrey Hodgdon, Bruce Introne, Robert Itse. Daniel Kappler, Lawrence Kolodziei, Walter McKinney, Betsy McMahon, Charles Osborne, Jason Pantelakos, Laura Prudhomme-O'Brien, Katherine Schroadter, Adam Thomas, Douglas Vose, Michael Ward, Joanne Webb, James

STRAFFORD

Cilley, Jacalyn DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Rollo, Deanna Sprague, Dale Turcotte, Leonard Whitehouse, Joshua Wuelper, Kurt Weber, Lucy

Smith, Suzanne

Takesian, Charlene

Wallner, Mary Jane

Walsh, Robert

NAYS - 241 BELKNAP

Fisher, Robert Flanders, Donald Fields, Dennis Dumais, Russell Varney, Peter Hurt, George CARROLL

Chandler, Gene Buco. Thomas Butler, Edward Avellani, Lino McCarthy, Frank McConkey, Mark Crawford, Karel Cordelli, Glenn Ticehurst, Susan Umberger, Karen Parker, Harold Nelson, Bill Wright, Ted

CHESHIRE Ames, Richard Berch, Paul

Bordenet, John Abbott, Michael Parkhurst, Henry Pearson, William Johnsen, Gladys Mann, John Sad, Tara Roberts, Kris Robertson, Timothy Phillips, Larry Tilton, Benjamin Sterling, Franklin Tatro. Bruce Shepardson, Marjorie

COOS

Rappaport, Laurence Froburg, Alethea Movnihan, Wayne Fotheraill, John Thomas, Yvonne Tholi, John Theberge, Robert Rideout, Leon

GRAFTON

Brown, Chris Bailey, Brad Abel, Richard Almy, Susan Darrow, Stephen Cooney, Mary Brown, Duane Brown, Rebecca Hull, Robert Hennessey, Martha Ford, Susan Hennessey, Erin Maes, Kevin Johnson, Eric Ladd, Rick Ingbretson, Paul Piper, Wendy Shackett, Jeffrey Nordgren, Sharon Massimilla, Linda Townsend, Charles

Sykes, George HILLSBOROUGH

Booras, Efstathia Beaulieu, Jane Belanger, James Ammon, Keith Christie, Rick Christensen, Chris Byron, Frank Brown, Pamela Cornell, Patricia Cote. David Cohen, Alan Coffey, James Edwards, Elizabeth Edelblut, Frank Donovan, Daniel Eastman, Eric Gagne, Larry Forest, Armand Freitas, Mary Ferreira, Elizabeth Gonzalez, Carlos Gorman, Mary Gidge, Kenneth Gargasz, Carolyn Harvey, Suzanne Heath, Mary Hansberry, Daniel Haefner, Robert Jack, Martin Hogan, Edith Hinch, Richard Herbert, Christopher Leishman, Peter Mangipudi, Latha Lachance, Joseph Kurk, Neal McNamara, Richard Marston, Dick McClarren, Donald Manley, Jonathan Peterson, Ken Parison, James Murphy, Keith Palmer, Barry Proulx, Mark Rice, Kimberly Pierce, David Porter, Mariorie Shattuck, Gilman Sanborn, Laurie Schleien, Eric Roberts, Carol Sullivan, Victoria Snow, Kendall Shaw, Barbara Simmons, Tammy

Woodbury, David MERRIMACK

Walsh, Thomas

Twombly, Timothy

Carson, Clyde Bartlett, Christy Bradley, Paula Alicea, Caroletta Frazer, June Ebel, Karen Doherty, David Deloge, Helen Hess, David Henle, Paul Gile, Mary French, Barbara Kidder, David Karrick, David Hoell, J.R. Hill, Gregory Moffett, Howard MacKay, James Kotowski, Frank Luneau, David Rice, Chip Ratzki, Mario Patten, Dick Myler, Mel Shurtleff, Stephen Seaworth, Brian Schuett, Dianne Saunderson, George

Ulery, Jordan

Zaricki, Nick

Wheeler, Deborah

Vann, lvv

ROCKINGHAM

Abrami, Patrick Azarian, Gary Baldasaro, Alfred Belanger, Ronald Berrien, Skip Borden, David Bush, Carol Cahill, Michael Cardon, G. Thomas Chase, Francis Christie, Andrew Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James DiFranco, Debbie Doucette, Fred Duarte, Joe Fesh. Robert Francese, Paula Friel, William Gordon, Pamela Griffin, Mary Guthrie, Joseph Heffron, Frank Hoelzel, Kathleen Katsakiores, Phyllis Lovejov, Patricia Lundgren, David Matthews, Carolyn McBeath, Rebecca Milz, David Moody, Marcia Nigrello, Robert O'Connor, John Oligny, Jeffrey Peckham, Michele Potucek, John Rice, Frederick Sherman, Thomas Simpson, Alexis Spillane, James Sweeney, Joe Sytek, John Tilton, Rio Tucker, Pamela Ward, Gerald Welch, David Weyler, Kenneth Woitkun, Steven

STRAFFORD

Baber, William Bickford, David Bixby, Peter Burton, Wayne Cheney, Catherine Gardner, Janice Horrigan, Timothy Kaczynski, Jr., Thomas Kaen, Naida Leeman, Don Mullen, John Pitre, Joseph Schmidt, Peter Smith, Marjorie Spang, Judith Stevens, Audrey Treleaven, Susan Wall, Janet Ward. Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Oxenham, Lee Rollins, Skip Schmidt, Andrew Smith, Steven

and the motion failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Minority committee report adopted and referred to the Committee on Finance.

REGULAR CALENDAR CONT'D

SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. OUGHT TO PASS WITH AMENDMENT. Rep. Kenneth Gidge for Commerce and Consumer Affairs. This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. The committee as a whole had several work sessions, where there were a lot of discussions of the disclosures of errors in judgment, and the perceived attempts to hide those errors. The committee amendment will set up a fund whereby donations can be accumulated for the victims of the FRM scandal and the bankruptcy. Since state funds are limited, there is no appropriation in this amendment. The committee has some hope that there are investment advisors who could see this as an opportunity to present their reputations and experience not only to the FRM investors, but also to the general public. By creating this fund, under the authority of an agent chosen by a legislative committee, the committee believes that there will be sponsored activity that will bring donations to this monitored fund. Vote 16-3.

Amendment (2504h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose.

- I. The general court hereby finds that there has been documented evidence that certain state agencies made mistakes knowingly or unknowingly that resulted in the continuation of the Financial Resources Mortgage(FRM) fraud causing financial harm to many victims.
- II. Therefore, the general court hereby establishes the FRM victims' contribution recovery fund to receive contributions to provide restitution assistance for victims of the FRM fraud.
- 2 New Chapter; FRM Victims' Contribution Recovery Fund. Amend RSA by inserting after chapter 359-O the following new chapter:

CHAPTER 359-P FRM VICTIMS' CONTRIBUTION RECOVERY FUND

359-P:1 Definitions. In this chapter:

I. "Claimant" means a person who is a victim of the Financial Resources Mortgage fraud and who has filed a complete application for recovery assistance under this chapter.

II. "Committee" means the FRM victims' contribution recovery fund committee established in

RSA 359-P:4.

III. "Financial Resources Mortgage" means Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities, and any entities established by, through, or with Scott Farah or Donald Dodge, through which moneys of Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities passed.

IV. "Financial Resources Mortgage fraud" means fraudulent acts committed by Financial Resources

Mortgage or its principals where loans brokered by or serviced by Financial Resources Mortgage.

V. "Fund" means the FRM victims' contribution recovery fund established in RSA 359-P:2.

VI. "Person" means an individual, corporation, partnership, association, joint stock company,

unincorporated organization, or any other entity.

VII. "Qualifying claimant" means a person who suffered financial losses as a result of the Financial Resources Mortgage fraud and is a claimant eligible for recovery assistance under this chapter. Qualifying claimant shall not include a borrower under any loan transaction borrowed or serviced by Financial Resources Mortgage.

VIII. "Recovery assistance" means payments from the fund to persons who suffered financial

losses as a result of the Financial Resources Mortgage fraud.

IX. "Victim" means a person who suffered monetary injury as a result of the Financial Resources Mortgage fraud.

359-P:2 FRM Victims' Contribution Recovery Fund Established.

I. There is hereby established the FRM victims' contribution recovery fund. The fund shall be nonlapsing and continually appropriated to the committee. The fund shall be capped at \$10,000,000 and shall consist of state, public, and private sector gifts and contributions of any kind.

II. The fund shall be used for awarding recovery assistance pursuant to this chapter.

III. The total amount in the fund less costs of administration shall be distributed on a pro rata basis to qualifying claimants annually on December 31 until all such claims are satisfied.

359-P:3 Eligibility for Recovery Assistance.

I. Except as otherwise provided in this chapter, a claimant shall be eligible for recovery assistance at the rate of 50 cents on each dollar lost by the claimant under this chapter if the claimant:

(a) Submits all supplemental documents as requested by the committee.

(b) Can demonstrate loss, to the committee's satisfaction, due to the Financial Resources Mortgage fraud.

(c) Meets all other requirements of this chapter, as determined by the committee.

II. In addition to a qualifying claimant and except as otherwise provided in this chapter, a surviving spouse or surviving child of a qualifying claimant shall be eligible for recovery assistance under this chapter.

359-P:4 Committee Established.

I. There is established the FRM victims' contribution recovery fund committee. The committee shall consist of the following members:

(a) Two members of the house commerce and consumer affairs committee and 2 members of the house finance committee, appointed by the speaker of the house of representatives.

(b) Two members of the senate commerce committee and 2 members of the senate finance

committee, appointed by the president of the senate.

II. The first meeting of the committee shall be held within 45 days of the effective date of this section and shall be called by the first-named house member. The committee chairperson shall be chosen from among the members.

III. The committee shall hire/appoint a private attorney or administrator to collect gifts and contributions, review applications for assistance submitted pursuant to this chapter, and make awards of assistance in accordance with the procedures of this chapter. The committee shall negotiate the attorney's or administrator's compensation which shall be no more than 10 percent of the privately contributed funds.

IV. In the event of a tie vote on any matter, the chairperson's vote shall break the tie.

V. The attorney or administrator shall make quarterly reports to the committee, beginning on November 1, 2015, which shall include all transactions made from the fund. The committee shall make semi-annual reports, beginning on December 15, relative to its work to the governor, the president of the senate, and the speaker of the house of representatives.

I. A victim eligible for recovery assistance under RSA	250 Dr2 may file on application for
recovery assistance with the committee on the following form	339-P:3 may file an application for
Financial Resources Mortgage, Inc and CL&M, Inc. Victims	lli Indomnification Application
Name	indennification Application
Address	
. 1001000	
Phone	
E-mail	
Social Security No	
I.) Proof of Claim Federal Bankruptcy Court Case 09-14565	5-JMD and 09-14566-JMD date filed
Loans or Mortgages claimed (copy attached)	
1 An	nount \$
2 An	nount \$
3 An	nount \$_
4 An	nount \$
5 An	nount \$
6 An	nount \$
/ An	10unt \$
8 An	nount \$
9 An	10unt \$
10 An	nount \$
Total Proof of Claim Am	ount \$
II.) Were you a defendant in case no. 09-1184-JMD? Yes No	
Were you dismissed from the case? Yes No	
III.) Did you settle with the Trustee? Yes No	
Did you make a payment to the Trustee for the benefit of	the bankruptcy estates to settle with
the Trustee? Yes No	nount \$
IV.) List any additional payments to the trustee as a result of	of any mortgage foreclosed, sold, or
repaid as a condition of your settlement. Example: Agreed to	split proceeds 80/20 with Trustee.
1	Amount \$
2	Amount \$
3	Amount \$
4	Amount \$
5	Amount \$
Post settlement payments to Trustee	Amount \$
V.) Did you retain 100% ownership of any mortgages as a resu	ilt of settlement? Yes (list below) No
I	Amount \$
2	Amount \$
3. <u> </u>	Amount \$
4	Amount \$
4. 5. Total Retained 100% ownership \$	Amount \$
Total Retained 100% ownership \$	
VI.) List any payment from the Trustee on any mortgage he or she	foreclosed on sold or received repov
ment of principle and from which proceeds were agreed to be sp	olit with you as a result of settlement
1.	Amount \$
2.	Amount \$
3.	Amount \$
4	Amount \$
5	Amount \$Amount \$
Total Split Proceeds received from Trustee post settlement	\$

VII.) Final	Distribution of Bankruptcy Estate by	Trustee received by you	\$
VIII.) Tota	I Interest received from FRM or CL&N	M January 2006	
through	November 2009 \$		
(attach f	orm 1040 and Schedule B, Interest and	Dividends, for 2006-2009)	
Calculate I	Loss:		
A.	Total Section I. Proof of Claim		\$
	Total Section III. Settlement Payment	t	\$
	Total Section IV. Proceed split payme	ent to Trustee	\$
	Total A.		
В.	Total Section V. 00% Retained Mort	gage	\$
2.	Total Section VI. Proceed Split recei		\$
	Total Section VII. Final Distribution		\$
	Total Section VIII. Interest Received		\$
	Total of any other awards not otherw	ise accounted for	\$
	Total B.	3	
C	Total A minus Total B.		
O.		Allowable Loss	\$
Signature_			
Signed und	ler penalty of perjury		
For admin	stration purposes only		
Grand Total	al All Losses submitted		\$
(name)_		allowable loss submitted	\$
	Grand Total submitted	%	

II. The complete application shall be received not more than 180 days after the effective date of this section. An extension of time may be granted for good cause shown by the claimant. However, an application that is received more than 270 days after the effective date of this section shall not be accepted. The attorney or administrator shall send a notice regarding the process for recovery under this chapter to the last known address of potential claimants.

III. All applications filed in compliance with this chapter shall be accepted. Processing of an application shall begin upon receipt of a complete application. All applications shall be reviewed by the attorney or administrator to ensure that the applications are complete. If an application is not complete, it shall be returned to the claimant with a brief statement of the additional information required. The application shall be denied if the applicant does not furnish additional information or additional time is not granted for good cause.

IV. The attorney or administrator shall determine the amount of loss of original investments, if any, of each claimant and the pro rata share to be distributed to a claim demonstrating loss.

V. Recovery assistance shall be limited to 50 cents on each dollar lost on the amount of the claimant's original investment.

VI. The attorney or administrator may consider individual claims filed by persons owning a joint interest that was subject to loss due to the Financial Resources Mortgage fraud, but any recovery awarded shall only be to the extent of each individual claimant's original investment.

359-P:6 Awards Under This Chapter Set Off Against Any Other Recovery.

I. The amount of any award made under this chapter shall be set off against any other recovery sources, including, but not limited to awards from private suits, arbitration, bankruptcy court awards or settlements, or other sources of recovery.

II. In the event a qualifying claimant receives an award from a recovery source listed in paragraph I subsequent to the filing of a claim under this chapter, the claimant shall immediately notify the committee of the award. The attorney or administrator shall then modify the claimant's award and pro rata share by offsetting such award against the claimant's award under this chapter.

359-P:7 Recovery Assistance Prohibited. Recovery assistance shall not be awarded if the attorney or administrator for the committee determines the claimant:

I. Sustained the monetary injury as a result of participating or assisting in or attempting to commit or committing financial fraud with Financial Resources Mortgage; or

II. Profited or would have profited from the financial fraud of Financial Resources Mortgage.

359-P:8 Award Not Subject to Other Processes. An award made under this chapter shall not be subject to execution, attachment, garnishment, or other process. A claimant convicted of forgery, fraud, or deception in connection with a claim under this chapter shall forfeit an award paid to the claimant under this chapter. The attorney general may file a civil action to recover funds against such a claimant.

359-P:9 Liability of State. The state shall not be liable for any written determination made under this chapter except to the extent that money is available in the fund on the date the award is computed.

359-P:10 Claims Prior to January 1, 2006. Claims for restitution assistance shall not be accepted for any losses that occurred prior to January 1, 2006 due to financial fraud.

2 New Subparagraph; FRM Victims Contribution Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (330) the following new subparagraph:

(331) Moneys deposited under the FRM victims' contribution recovery fund, established in RSA 359-P:2.

3 Repeal. The following are repealed:

I. RSA 359-P, relative to a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud.

II. RSA 6:12, I(b)(331), relative to the FRM victims' contribution recovery fund.

- 4 Contingent Repeal. Section 3 of this act shall take effect on the date the FRM victims' contribution recovery fund committee certifies to the secretary of state and the director of the office of legislative services that the last payment was made in accordance with RSA 359-P as inserted by section 1 of this act. Any moneys in the FRM victims' contribution recovery fund established in RSA 359-P:2 as inserted by section 1 of this act shall lapse to the general fund.
 - 5 Effective Date.
 - I. Section 3 of this act shall take effect as provided in section 4 of this act.
 - II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. Under this bill, the FRM victims' contribution recovery fund committee shall cause through its attorney or administrator restitution assistance from the FRM victims' contribution recovery fund for such victims.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 178, relative to optometrist participation in vision insurance plans. INEXPEDIENT TO LEG-ISLATE.

Rep. George Hurt for Commerce and Consumer Affairs. This bill prohibits insurers who provide benefits for medical or hospital expenses for eye care from requiring an optometrist to participate in a separate vision plan as a condition for serving as a participating provider in the insurer's network. The majority of the committee determined that interfering in a private legal contract between two assenting parties would send the wrong message and set a bad precedent for the legislature. Furthermore, the US Supreme Court declared in Dartmouth v. Woodward, (17 U.S. 518) that "no state legislature shall make any law impairing the obligation of contracts." Vote 13-6. Committee report adopted.

MOTION TO SPECIAL ORDER

Rep. Tholl moved that HB 240, prohibiting law enforcement agencies from using a drone to collect evidence, be made a Special Order after HB 602, relative to the use of drones, from the Committee on Executive Departments and Administration.

Rep. Tholl spoke in favor.

Motion adopted.

MOTION TO SPECIAL ORDER

Rep. Hunt moved that SB 219-FN, relative to breastfeeding, be made a Special Order as the next order of business.

Rep. Hunt spoke in favor.

Motion adopted.

BILL REMOVED FROM THE CONSENT CALENDAR

SPECIAL ORDER

SB 219-FN, relative to breastfeeding. OUGHT TO PASS WITH AMENDMENT.

Rep. Edward Butler for Commerce and Consumer Affairs. This bill as amended requires employers in the state to provide employees who are nursing mothers the necessary time for breast pumping. An exception can be made for an employer who employs less than 50 employees if this requirement would impose an undue hardship. It also requires that state employees be provided a safe and sanitary space for breastfeeding for up to 6 months after the child is born, and for expressing milk for as long as the mother continues to lactate. Additionally, an Advisory Council on Breastfeeding is established to review the effects of this legislation on employers, and to recommend further legislation if needed. Vote 19-1.

Amendment (2499h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to lactation and breastfeeding.

Amend RSA 275:77 as inserted by section 1 of the bill by replacing it with the following:

275:77 Time for Employees to Express Milk; State Employees.

I. An employer shall provide a reasonable break time for an employee to express breast milk for her nursing child each time such employee has need to express the milk.

II. An employer shall not be required to compensate an employee receiving reasonable break time under paragraph I for any work time spent for such purpose, providing such break shall be documented as a break for the purpose of expressing milk.

III. Where employers already provide compensated breaks, an employee who uses that break time to express milk shall be compensated in the same way that other employees are compensated for break time. In addition, the employee shall be completely relieved from duty or else the time shall be compensated as work time.

IV. An employer that employs less than 50 employees shall not be subject to the requirements of this chapter, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature,

or structure of the employer's business.

V. A lactating state employee shall have the right to breastfeed her child on any property owned, leased, or controlled by the state anywhere she is authorized to be. The state shall provide lactating employees with adequate facilities for breastfeeding for up to 6 months after the child is born and for expressing milk for as long as the mother continues to lactate. The location may include a child care facility or community lactation room in close proximity to the employee's work location. "Adequate facilities for breastfeeding" shall mean a sanitary indoor place, other than a bathroom or toilet stall, that is shielded from view from intrusion from co-workers and the public.

Amend RSA 275:80, I as inserted by section 1 of the bill by replacing it with the following:

I. There is hereby established an advisory council on breastfeeding. The advisory council shall follow the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:

(a) One member of the house of representatives, appointed by the speaker of the house of

representatives.

- (b) One member of the senate, appointed by the senate president.
- (c) The commissioner of the department of labor, or designee.
- (d) A member of the New Hampshire Business and Industry Association, appointed by the association.
 - (e) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.
 - (f) A transportation representative, appointed by the governor.
 - (g) A breastfeeding mother, appointed by the governor.
- (h) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.

Amend RSA 275:80, III as inserted by section 1 of the bill by replacing it with the following:

III. Legislative members shall receive mileage at the legislative rate when attending to the duties of the advisory council.

Amend RSA 275:80, V as inserted by section 1 of the bill by replacing it with the following:

V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.

Amend the bill by replacing all after section 2 with the following:

- 3 Repeal. RSA 275:80, relative to an advisory council on breastfeeding, is repealed.
- 4 Effective Date.
 - I. Section 3 of this act shall take effect December 1, 2017.
 - II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires employers to provide reasonable accommodations to women who are breastfeeding. The bill also establishes an advisory council on breastfeeding.

Reps. Barbara Griffin and Notter spoke against.

Rep. Butler spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Hunt moved that SB 219-FN, relative to breastfeeding, be laid on the table.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 188 NAYS 158

YEAS - 188 RELKNAP

	DELK
Dumais, Russell	Fi
Fraser, Valerie	Ga

Flanders, Donald	Fraser, Valerie
Hurt, George	LeBreche, Shar
Spanos, Peter	Sylvia, Michael
Varney, Peter	,

Fields, Dennis Fisher, Robert Gallagher, Brian Howard, Jr., Raymond Luther, Robert Russell, David Tilton, Franklin Vadney, Herbert

CARROLL

Avellani, Lino	Comeau, Ed
Nelson, Bill	Parker, Harold

McCarthy, F	rank
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McConkey, Mark

CHESHIRE

Hunt, Joh	hn	
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McConnell, James

Parkhurst, Henry

Sterling, Franklin

COOS

Fotheraill, John

Aldrich, Glen

Rappaport, Laurence

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad Hennessey, Erin Piper, Wendy Brown, Duane Hull, Robert

Ammon, Keith

Darrow, Stephen Ingbretson, Paul Gionet, Edmond Johnson, Eric

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christie, Rick Eastman, Eric Forest, Armand Goulette, William Hinch, Richard Lachance, Joseph McClarren, Donald Notter, Jeanine Ohm, Bill

Pierce, David

Boehm, Ralph Coffey, James Edelblut, Frank Gagne, Larry Griffin, Barbara Hogan, Edith LeBrun, Donald McLean, Mark O'Brien, William Parison, James

Proulx, Mark

Balcom, John Burt, John Cohen, Alan Estevez, Eric Gonzalez, Carlos Haefner, Robert Hopper, Gary Marston, Dick Moore, Josh Ober, Lynne Pellegrino, Anthony Rice, Kimberly Belanger, James Christensen, Chris Donovan, Daniel Ferreira, Elizabeth Gould, Linda Halstead, Carolyn Kurk, Neal McCarthy, Peggy Murphy, Keith Ober, Russell Peterson, Ken

Rouillard, Claire

Scontsas, Lisa Sanborn, Laurie Schleien, Eric Rowe, Robert Souza, Kathleen Straight, Phillip Smith, Gregory Simmons, Tammy Twombly, Timothy Williams, Kermit Sullivan, Victoria Takesian, Charlene Zaricki, Nick Wolf, Terry MERRIMACK Horn, Werner Hoell, J.R. Hill, Gregory Brewster, Michael Long, Douglas Kotowski, Frank Kuch, Bill Kidder, David McGuire, Dan Martin, John McGuire. Carol Marple, Richard Saunderson, George Wheeler, Deborah Rice, Chip Parent, Jason ROCKINGHAM Baldasaro, Alfred Allen, Mary Azarian, Garv Abrami, Patrick Cardon, G. Thomas Bush, Carol Barnes, Arthur Bates, David Dean-Bailey, Yvonne Christie, Andrew Chirichiello, Brian Chase, Francis Elliott, Robert Devine, James Duarte, Joe DeSimone, Debra Gordon, Richard Gannon, William Emerick, J. Tracy Ferrante, Beverly Harris, Jeffrey Guthrie, Joseph Griffin, Mary Green, Dennis Itse. Daniel Introne, Robert Hodgdon, Bruce Hoelzel, Kathleen Lundgren, David Kolodziej, Walter Kappier, Lawrence Katsakiores, Phyllis McMahon, Charles Milz, David McKinney, Betsy Matthews, Carolyn Potucek, John O'Connor, John Osborne, Jason Nigrello, Robert Svtek, John Sweeney, Joe Schroadter, Adam Spillane, James Tucker, Pamela Tilton, Rio Thomas, Douglas Tamburello, Daniel Welch, David Webb, James Ward, Joanne Vose, Michael Woitkun, Steven STRAFFORD Graham, Robert DeLemus, Susan Cheney, Catherine Bickford, David Hannon, Joseph Jones, Laura Groen, Warren Gray, James Sprague, Dale Kaczynski, Jr., Thomas Leeman, Don Mullen, John Wuelper, Kurt Whitehouse, Joshua Turcotte, Leonard SULLIVAN Schmidt, Andrew Laware, Thomas **NAYS - 158** CARROLL Crawford, Karel Cordelli, Glenn Butler, Edward Buco, Thomas Wright, Ted Umberger, Karen Ticehurst, Susan CHESHIRE Bordenet, John Berch, Paul Ames, Richard Abbott, Michael Johnsen, Gladys Ley, Douglas Eaton, Daniel Chase, Cynthia Robertson, Timothy Phillips, Larry Pearson, William Mann, John Tilton, Benjamin Shepardson, Marjorie Tatro, Bruce Sad, Tara Weber, Lucy COOS Thomas, Yvonne Theberge, Robert Moynihan, Wayne Froburg, Alethea GRAFTON

> Brown, Rebecca Brown, Chris Hennessey, Martha Ladd, Rick Shackett, Jeffrey Nordgren, Sharon

Almy, Susan Ford, Susan

Abel. Richard

Cooney, Mary

Smith, Suzanne

Maes, Kevin

Massimilla, Linda Townsend, Charles Sykes, George

HILLSBOROUGH

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Luneau, David Patten, Dick Seaworth, Brian	Bartlett, Christy Doherty, David Gile, Mary MacKay, James Ratzki, Mario Shurtleff Stephen	Bradley, Paula Ebel, Karen Henle, Paul Moffett, Howard Rogers, Katherine	Carson, Clyde Frazer, June Karrick, David Myler, Mel Schuett, Dianne
Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald Cali-Pitts, Jacqueline Fesh, Robert Heffron, Frank Pantelakos, Laura Sherman, Thomas Weyler, Kenneth	Berrien, Skip Cook, Allen Francese, Paula Lovejoy, Patricia Peckham, Michele Simpson, Alexis	Borden, David Cushing, Robert Friel, William McBeath, Rebecca Prudhomme-O'Brien, Katherine Tasker, Kyle	Cahill, Michael DiFranco, Debbie Gordon, Pamela Moody, Marcia Rice, Frederick Ward, Gerald
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STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
Horrigan, Timothy	Kaen, Naida	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	Otorono, Audiey

SULLIVAN

Cloutier, John Grenier, James Smith, Steven	Converse, Larry Irwin, Virginia	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Rollins, Skip
Office, Steven			

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency. OUGHT TO PASS WITH AMENDMENT.

Rep. David Welch for Criminal Justice and Public Safety. This bill amends RSA 4:46, I-a which prohibits confiscation of firearms during a state of emergency and adds firearms accessories and procedures for return of such items when illegally confiscated. It also protects a law enforcement officer from disciplinary action for refusing an order to confiscate weapons and establishes a cap on damages for violations of the statute. The amendment adds a definition of "law enforcement officer" to the current statute. Vote 9-8.

Amendment (2379h)

Amend RSA 4:46, I-a as inserted by section 1 of the bill by inserting after subparagraph (e) the following new subparagraph:

(f) For the purposes of this paragraph, "law enforcement officer" includes, but is not limited to, state, local, and county officials, federal agents, members of the National Guard, members of the United States Armed Forces, private security persons, United Nations troops, and United Nations Armed Forces.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 231 NAYS 121

YEAS - 231 BELKNAP

Aldrich, Glen Flanders, Donald Hurt, George Spanos, Peter Varney, Peter

Dumais, Russell Fraser, Valerie LeBreche, Shari Sylvia, Michael

Fields, Dennis Gallagher, Brian Luther, Robert Tilton, Franklin

Fisher, Robert Howard, Jr., Raymond Russell, David Vadney, Herbert

CARROLL

Avellani, Lino Crawford, Karel Parker, Harold

Buco. Thomas McCarthy, Frank Umberger, Karen Comeau. Ed McConkey, Mark Wright, Ted

Cordelli, Glenn Nelson, Bill

CHESHIRE

Hunt, John Sterling, Franklin McConnell, James

Pearson, William

Roberts, Kris

Tilton, Benjamin

COOS

Fothergill, John Tholl, John

Richardson, Herbert Rappaport, Laurence

Rideout, Leon

GRAFTON

Bailey, Brad Hennessey, Erin Ladd, Rick

Brown, Duane Hull, Robert Piper, Wendy

Darrow, Stephen Ingbretson, Paul Shackett, Jeffrey Gionet, Edmond Johnson, Eric

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christensen, Chris Danielson, David Edwards, Elizabeth Gagne, Larry Goulette, William Hansen, Peter Infantine, William Leishman, Peter McCarthy, Peggy Murotake, David Ober, Lynne Parison, James Proulx, Mark Sanborn, Laurie Simmons, Tammy Stepanek, Stephen Ulery, Jordan

Ammon, Keith Boehm, Ralph Christie, Rick Donovan, Daniel Estevez, Eric Gidge, Kenneth Griffin, Barbara Hinch, Richard Kurk, Neal Long, Patrick McClarren, Donald Murphy, Keith Ober, Russell Pellegrino, Anthony Rice, Kimberly Schleien, Eric Smith, Gregory Straight, Phillip Wolf, Terry

Balcom, John Burt, John Coffey, James Eastman, Eric Ferreira, Elizabeth Gonzalez, Carlos Haefner, Robert Hogan, Edith Lachance, Joseph Manley, Jonathan McLean, Mark Notter, Jeanine Ohm, Bill Peterson, Ken Rouillard, Claire Scontsas, Lisa Soucy, Timothy Sullivan, Victoria Zaricki, Nick

Belanger, James Byron, Frank Cohen, Alan Edelblut, Frank Flanagan, Jack Gould, Linda Halstead, Carolyn Hopper, Gary LeBrun, Donald Marston, Dick Moore, Josh O'Brien, William Palmer, Barry Pierce, David Rowe, Robert Shaw, Barbara Souza, Kathleen Twombly, Timothy

MERRIMACK

Brewster, Michael Kotowski, Frank Martin, John Rice, Chip Wheeler, Deborah Hill, Gregory Kuch, Bill McGuire, Carol Seaworth, Brian Hoell, J.R. Long, Douglas McGuire, Dan Turcotte, Alan

Horn, Werner Marple, Richard Parent, Jason Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Cali-Pitts, Jacqueline Christie. Andrew Devine, James Emerick, J. Tracy Gannon, William Guthrie, Joseph Introne, Robert Kolodziei, Walter McMahon, Charles Osborne, Jason Rice, Frederick Svtek, John Tilton, Rio Webb, James

Allen, Mary Bates, David Cardon, G. Thomas Cook, Allen Doucette, Fred Ferrante, Beverly Gordon, Richard Harris, Jeffrey Itse, Daniel Lundgren, David Milz, David Peckham, Michele Schroadter, Adam Tamburello, Daniel Tucker, Pamela Welch, David

Azarian, Gary
Belanger, Ronald
Chase, Francis
Dean-Bailey, Yvonne
Duarte, Joe
Fesh, Robert
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Potucek, John
Spillane, James

Elliott, Robert
Friel, William
Griffin, Mary
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Baldasaro, Alfred

Chirichiello, Brian

DeSimone, Debra

Bush, Carol

STRAFFORD

Bickford, David Gray, James Kaczynski, Jr., Thomas Sprague, Dale Wuelper, Kurt Cheney, Catherine Groen, Warren Leeman, Don Stevens, Audrey DeLemus, Susan Hannon, Joseph Mullen, John Turcotte, Leonard

Tasker, Kyle

Vose, Michael

Weyler, Kenneth

Graham, Robert Jones, Laura Pitre, Joseph Whitehouse, Joshua

SULLIVAN

Cloutier, John Irwin, Virginia

Converse, Larry Laware, Thomas Gagnon, Raymond Rollins, Skip Grenier, James Smith, Steven

NAYS - 121 CARROLL

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Sad, Tara Ames, Richard Eaton, Daniel Parkhurst, Henry Shepardson, Marjorie

Berch, Paul Johnsen, Gladys Phillips, Larry Tatro, Bruce Bordenet, John Ley, Douglas Robertson, Timothy Weber, Lucy

coos

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard Cooney, Mary Massimilla, Linda Townsend, Charles Almy, Susan Ford, Susan Nordgren, Sharon

Brown, Chris Hennessey, Martha Smith, Suzanne Brown, Rebecca Maes, Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Brown, Pamela Forest, Armand Hansberry, Daniel Jack, Martin O'Neil, William Snow, Kendall Walsh, Robert Baroody, Benjamin Cornell, Patricia Freitas, Mary Harvey, Suzanne Mangipudi, Latha Porter, Marjorie Sullivan, Daniel Williams, Kermit

Beaulieu, Jane Cote, David Gorman, Mary Heath, Mary McNamara, Richard Rosenwald, Cindy Takesian, Charlene Woodbury, David Booras, Efstathia DiSilvestro, Linda Guerette, C. Lee Herbert, Christopher O'Brien, Michael Shattuck, Gilman Vann, Ivy

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Kidder, David	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William Horrigan, Timothy Smith, Marjorie Ward, Kenneth	Bixby, Peter Kaen, Naida Spang, Judith	Burton, Wayne Rollo, Deanna Treleaven, Susan	Cilley, Jacalyn Schmidt, Peter Wall, Janet
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SULLIVAN

Gottling, Suzanne	Oxenham, Lee	Schmidt, Andrew
and the committee	report was adopted and	ordered to third reading.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 536**, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

REGULAR CALENDAR CONT'D

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. John Burt for the Majority of Criminal Justice and Public Safety. As amended, the bill extends the license renewal period from 4 years to 5 years, saving time for both citizens and police departments. The bill codifies in New Hampshire statute precisely what criteria should be used by police departments when issuing a license. This change proactively addresses the concern that police departments have a perceived liability for issuing a license to someone who would misuse a firearm. The changes to the statutes in no way prohibit the police from running background checks to verify that the person is legally able to own and possess a firearm. The bill makes the license to carry concealed optional for those who are currently able to purchase and/or own a firearm and can already carry openly without a license. Lastly, the bill clarifies the process on how New Hampshire develops reciprocal agreements with other states regarding carry licenses. All of the changes in the bill are in compliance with Part 1, Art. 2-a, of the New Hampshire Constitution, protecting a person's right to keep and bear arms, while also recognizing law enforcement's requests to prohibit certain persons from obtaining a license. The committee heard significant testimony about the current abuses within the existing licensing system. Over the last few months, there have been several court cases where law abiding citizens, "suitable" citizens, were denied a license renewal over misinterpretations of the current law. The cases involved issues such as the police chief asking for reference phone numbers; something that is prohibited by statute. Another case was that the chief did not like the particular references who were selected. In each of these cases, the citizens spent thousands of dollars in legal fees to get their renewal completed. In other cases, chiefs are denying people due to the ambiguity in the law about who can have a license. There was also a recent New Hampshire Supreme Court case involving Mark Doyon v. Hooksett Police Department that altered the standards which were being used by police departments to grant licenses. Current New Hampshire statute requires that upon application, the police "shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state and that the applicant is a suitable person to be licensed." The issue at hand is that there is no definition in statute for the term "suitable." This ambiguity

had been addressed for over a decade by the backside of the application form which read: "Applicants not

prohibited under federal or New Hampshire law from possession of a firearm shall be deemed suitable persons and the license shall be issued unless the applicant is so prohibited from possessing a firearm. The burden is on the licensing entity to prove by clear and convincing proof that the applicant is so prohibited from possessing a firearm." The bill updates the language in current statutes to the following clear definition for use by police departments when issuing a license: "Unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm." The majority of the committee felt that the language changes in the amendment balanced the need for public safety while protecting the rights of citizens. The committee also heard testimony regarding the historic racial profiling and anti-union roots of this legislation from the early 1900s. Vote 9-8.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The minority is opposed to the repeal provisions contained in this bill. New Hampshire's current concealed carry permitting law has worked well for nearly a century; the Granite State is one of the safest states in the nation. Our concealed weapons permitting system gives an important oversight role to local law enforcement while allowing for appeals through appropriate channels. Law enforcement and public safety officials oppose removing the licensing process. This process helps ensure that potentially dangerous individuals are not allowed to carry hidden weapons. The ability of states to appropriately regulate the concealed carry of firearms has been reaffirmed in its constitutional soundness time and time again by the United State Supreme Court. New Hampshire law already allows for the open carry of handguns without a permit, and it also ensures that an appeal process is in place when a permit is denied. States that currently allow concealed carry of firearms without a permit have far stricter regulations at the point of original purchase than New Hampshire does, including more vigorous background checks. In his book Live Free or Die, Governor Mel Thomson said that the current permitting process for concealed carry is "a sensible handgun law that leaves the issuance of handgun permits to the discretion of [local law enforcement]." For these reasons, the minority urges common sense and opposes this bill.

Majority Amendment (2399h)

Amend RSA 159:6 as inserted by section 1 of the bill by replacing it with the following: 159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose[, and that the applicant is a suitable person to be licensed], unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take place within the month of the [fourth] fifth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-ofstate residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew

a license to carry for a resident or nonresident, unless requested by the applicant.

III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Burton spoke against and yielded to questions.

Rep. Burt spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 206 NAYS 146

YEAS - 206

		LIZED - MOU	
	1	BELKNAP	
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Luther, Robert Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Russell, David Varney, Peter	Fisher, Robert Hurt, George Sylvia, Michael
		CARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	(CHESHIRE	
Hunt, John	McConnell, James	Sterling, Franklin	
		COOS	
Rappaport, Laurence	Rideout, Leon	Tholl, John	
		GRAFTON	
Bailey, Brad Hull, Robert Piper, Wendy	Brown, Duane Ingbretson, Paul Shackett, Jeffrey	Darrow, Stephen Johnson, Eric	Gionet, Edmond Ladd, Rick

THE ECONOMICE

	HILL	SBOROUGH		
Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James	
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank	
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David	
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric	
Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry	Gonzalez, Carlos	
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert	
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith	
Hopper, Gary	Infantine, William	Jack, Martin	Kurk, Neal	
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy	
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David	
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne	
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James	
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark	
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	
Scontsas, Lisa	Shaw, Barbara	Simmons, Tammy	Smith, Gregory	
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

	MER	RIMACK		
Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.	
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas	
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan	
Parent, Jason	Seaworth, Brian	Turcotte, Alan	Walsh, Thomas	
	ROCK	INGHAM		
Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	
Bates, David	Belanger, Ronald	Bush, Carol	Cardon, G. Thomas	
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen	
Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James	Doucette, Fred	
Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	
Friel, William	Gannon, William	Gordon, Richard	Green, Dennis	
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	
Kolodziej, Walter	Matthews, Carolyn	McMahon, Charles	Milz, David	
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason	
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine		
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John	
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	Tilton, Rio	
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James	
Welch, David	Weyler, Kenneth	Woitkun, Steven		
	STRA	AFFORD		
Bickford, David	Cheney, Catherine	DeLemus, Susan	Gardner, Janice	
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph	
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	
Pitre, Joseph	Sprague, Dale	Turcotte, Leonard	Whitehouse, Joshua	
Wuelper, Kurt				
	SUL	LIVAN		
Converse, Larry Smith, Steven	Grenier, James	Laware, Thomas	Rollins, Skip	
	NAY	YS - 146		
	BEI	LKNAP		
Flanders, Donald	Spanos, Peter			
	CAI	RROLL		
Buco, Thomas	Butler, Edward	Crawford, Karel	Ticehurst, Susan	
CHESHIRE				
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John	
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry	
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy		
	C	oos		
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	
Thomas, Yvonne		•	•	

GRAFTON

Abel, Richard Almy, Susan Brown, Chris Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Shattuck, Gilman Snow, Kendall Soucy, Timothy Sullivan, Daniel	Shattuck, Gilman Takesian, Charlene		• • • • • • • • • • • • • • • • • • • •	Booras, Efstathia Cote, David Gidge, Kenneth Harvey, Suzanne Long, Patrick O'Brien, Michael Rowe, Robert Sullivan, Daniel Williams, Kermit
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MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Kidder, David	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mei	Patten, Dick	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Elliott, Robert
Francese, Paula	Gordon, Pamela	Griffin, Mary	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.

HB 605-FN, repealing mandatory minimum sentences. OUGHT TO PASS WITH AMENDMENT. Rep. John Martin for Criminal Justice and Public Safety. This bill as introduced would have eliminated all mandatory minimum sentences. After subcommittee review, the bill was determined to be overbroad and unwieldy, particularly in relation to provisions regarding major drug offenses and sex offenses. The amendment repeals only provisions relating to armed career criminals, habitual offenders, and driving after revocation or suspension. Vote 14-3.

Amendment (2427h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to mandatory minimum sentences.

Amend the bill by replacing all after the enacting clause with the following:

1 Pistols and Revolvers; Armed Career Criminals. Amend RSA 159:3-a, II to read as follows:

II. Any person who violates paragraph I shall be guilty of a felony and, notwithstanding RSA 651:2, II, shall be sentenced to a [minimum mandatory term of 10 years imprisonment and a] maximum term of imprisonment of not more than 40 years and shall be fined not more than \$25,000.

2 Habitual Offenders; Penalty. Amend RSA 262:23 to read as follows: 262:23 Penalty.

I. It shall be unlawful for any person to drive any motor vehicle on the ways of this state while an order of the director or the court prohibiting such driving remains in effect. If any person found to be an habitual offender under the provisions of this chapter is convicted of driving a motor vehicle on the ways of this state while an order of the director or the court prohibiting such operation is in effect, he or she shall be guilty of a felony and sentenced, notwithstanding the provisions of RSA title LXII, to imprisonment for not [less than one year nor] more than 5 years. No [portion of the minimum mandatory sentence shall be suspended, and no] case brought to enforce this chapter shall be continued for sentencing; provided, however, that any sentence or part thereof imposed pursuant to this section may be suspended in cases in which the driving of a motor vehicle was necessitated by situations of apparent extreme emergency which required such operation to save life or limb. Any sentence of one year or less imposed pursuant to this paragraph shall be served in a county correctional facility. The sentencing court may order that any such offender may serve his or her sentence under home confinement pursuant to RSA 651:19 based on the rules and regulations of the county correctional facility where the sentence is to be served [for the minimum mandatory term or any portion thereof], provided the offender first serves 14 consecutive days of imprisonment prior to eligibility for home confinement. Habitual offenders shall only be eligible for the home confinement program once per lifetime. Any sentence of more than one year imposed pursuant to this paragraph shall be served in the state prison.

II. For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit or privilege to drive is suspended or revoked, or is charged with driving without a license, the court before hearing such charge shall determine whether such person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state. For the purposes of this section, in determining whether the person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state, a certified copy of the individual's motor vehicle record on file with the division shall be as competent evidence in any court within this state as the original record would be if produced by the director as legal custodian thereof.

III. [Notwithstanding paragraph I, any person who qualifies under RSA 259:39 shall not be subject to the minimum mandatory provisions of paragraph I if, and only if, that person's certification was not based on any conviction under RSA 265-A:2, I or any misdemeanor or felony motor vehicle conviction pursuant to RSA title XXI, and that person has not been convicted of any such offense, or any reasonably similar offense in any jurisdiction within the United States and Canada, since the date of the certification; provided, however, that any such person shall be guilty of a class A misdemeanor and may be sentenced to one year or less.] Any person incarcerated upon the effective date of this paragraph, pursuant to certification as an habitual offender under RSA 259:39, who does not have a conviction under RSA 265-A:2, I involving a vehicle or any misdemeanor or felony motor vehicle convictions pursuant to RSA title XXI, may apply immediately to the superior court for sentence review and reduction.

3 License Suspension and Revocation; Driving After Revocation or Suspension. Amend RSA 263:64, IV to read as follows:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and shall be sentenced to imprisonment for a period not less than 7 consecutive 24-hour periods to be served within 6 months of the conviction, shall be fined not more than \$1,000, and shall have his or her license or privilege revoked for an additional year. [No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court.] No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. [No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.]

4 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill eliminates certain mandatory minimum sentences.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 617-FN-A, requiring state police to wear a camera when interacting with the public. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Cushing for Criminal Justice and Public Safety. Over the course of the past 2 legislative sessions, the Criminal Justice and Public Safety Committee has devoted a lot of time considering legislation and studying issues regarding the deployment of Body-Worn Cameras (BWCs) used by law enforcement. The committee heard testimony and received input from representatives of a number of law enforcement agencies, the offices of the Attorney General and the Commissioner of Safety, civil liberties advocates, defense attorneys, advocates for crime victims, representatives of media organizations, representatives of vendors of cameras and data storage systems, as well as members of the public. There is a general consensus amongst stakeholders that the use of BWCs can be a benefit to public safety, foster better interactions between police and members of the public, protect members of law enforcement, promote accountability and assist in investigations. The amendment to HB 617 recommended by the committee represents a synthesis of best practices and a balanced approach to the use of BWCs that is appropriate for New Hampshire. The use of BWCs will be voluntary. For agencies that choose to use them, HB 617 requires that officers can only use BWCs issued by their departments, all recordings are the property of their police department, all images and sound from a BWC recording are for law enforcement purposes only, all officers using BWCs must be trained, BWCs must be activated on arriving at the scene of a call for service or when engaged in any law enforcement-related activity, recordings must be specific to an incident and not cover an entire patrol, officers must inform individuals they are being recorded, and, except for emergencies, officers can only use while in uniform. BWCs may not be used to record certain events, including intimate body searches, an interview with a crime victim, unless the victim consents, interaction with a person wishing to report a crime anonymously, when engaged in personal activities, in locations where an individual has an expectation of privacy such as a residence or restroom. Once activated, the BWC must remain on until the event is completed and all recordings must be securely stored according to FBI standards and no one may alter, erase, copy, share or otherwise distribute except as provided in the law. BWC records are exempt from the Right to Know Law, except when the recordings show any restraint or use of force by an officer, excluding portions that constitute an invasion of privacy, or the discharge of a firearm, or a felony-level arrest, excluding any portion that constitutes an invasion of privacy. The committee believes that the bill as amended represents an appropriate balance between public safety and individual liberty. Vote 14-3.

Amendment (2522h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Body-Worn Cameras. Amend RSA by inserting after chapter 105-C the following new chapter:

CHAPTER 105-D BODY-WORN CAMERAS

105-D:1 Definitions. In this chapter:

I. "Body-worn camera" or "BWC" means an electronic camera system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings that may be worn about the person of a law enforcement officer.

II. "Community caretaking function" means a task undertaken by a law enforcement officer in which the officer is performing an articulable act unrelated to the investigation of a crime. It includes, but is not limited to, participating in town halls or other community outreach, helping a child find his or her parents, providing death notifications, dealing with individuals asking for directions or other assistance, and performing in-home or hospital well-being checks on the sick, elderly, or persons presumed missing.

III. "In uniform" means a law enforcement officer who is wearing any officially authorized uniform designated by a law enforcement agency, or a law enforcement officer who is visibly wearing articles of clothing, a badge, tactical gear, gun belt, a patch, or other insignia that he or she is

a law enforcement officer acting in the course of his or her duties.

IV. "Law enforcement officer" or "officer" means any person employed by a law enforcement agency.

V. "Law enforcement agency" or "agency" means a state, county, municipality, special district, security service or police of the community college system of New Hampshire and the university system of New Hampshire, security service of the legislative or judicial branch, unit of local government police department or any other entity authorized by law to employ law enforcement officers or exercise police authority.

VI. "Law enforcement-related encounters or activities" include, but are not limited to, traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, pursuits, crowd control, traffic control, non-community caretaking interactions with an individual while on patrol, or any other instance in which the officer is enforcing the laws of the municipality, county, or state. The term does not include:

(a) Activities when the officer is completing paperwork alone or is in the presence of another law enforcement officer or officers; or

(b) Community caretaking functions.

VII. "Minor traffic offense" means a petty offense or a violation under the New Hampshire motor vehicle code or a similar provision of a municipal or local ordinance.

VIII. "Petty offense" means conduct that constitutes a class B misdemeanor or a violation.

IX. "Recording" means the process of capturing data or information stored on a recording medium.

X. "Recording medium" means any recording medium for the retention and playback of recorded audio and video including, but not limited to, VHS, DVD, hard drive, cloud storage, solid state, digital, flash memory technology, or any other electronic medium.

XI. "Subject of the recording" means any law enforcement officer or any suspect, victim, detainee, conversant, injured party, witness, or other similarly situated person who appears on the recording, and shall not include people who only incidentally appear on the recording.

105-D:2 Use of Body-Worn Cameras.

I. This chapter shall apply to any law enforcement agency that elects to equip its law enforcement officers with body-worn cameras. All BWCs shall be operated in a manner consistent with the provisions of this chapter. Every law enforcement agency that elects to equip its officers with BWCs shall adopt policies and procedures relating to the use of BWCs and the retention and destruction of data consistent with this chapter.

II. Officers shall only use BWCs issued by their respective law enforcement agencies. BWC equipment and all data, images, and video captured, recorded, or otherwise produced by the equipment are the property of the officer's law enforcement agency and shall be subject to the restrictions in this chapter.

III. Officers who are assigned BWCs shall successfully complete an agency-approved training program to ensure proper use and operations.

IV. Officers shall only use BWCs while in uniform.

V. Officers shall activate the video and audio components of BWCs and start recording upon arrival on scene of a call for service or when engaged in any law enforcement-related encounter or activity; provided, however, that in those cases set forth in subparagraphs VII(d), (e), and (h) and paragraph X in which an individual has a right not to be recorded, officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report. If exigent circumstances exist which prevent the BWC from being activated as set forth above, the device must be turned on as soon as practicable.

VI. Recordings shall be specific to an incident. Officers shall not indiscriminately record entire duties or patrols.

VII. A BWC shall not be used to record any of the following:

(a) Communications with other police personnel except to the extent such communications are incidental to a permissible recording.

(b) Encounters with police personnel or individuals whom the officer knows are acting in an undercover capacity or as confidential informants respectively, unless expressly directed to be included as part of the investigation.

(c) Intimate searches, when otherwise permitted by the agency's strip-and-body-cavity search policy, or nudity.

- (d) An interview with a crime victim unless his or her express consent has been obtained before the recording is made. Any recording obtained shall be consistent with the New Hampshire attorney general's model protocol for response to adult sexual assault cases, the New Hampshire attorney general's domestic violence protocol for law enforcement, the New Hampshire attorney general's stalking protocol for law enforcement, and the New Hampshire attorney general's child abuse and neglect protocol, as applicable. This subparagraph may be waived upon approval of the head of the law enforcement agency when the parent or legal guardian is the subject of the investigation to which a juvenile is a victim or witness.
- (e) Interactions with a person seeking to report a crime anonymously. In such an instance, the law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous if the person wants the officer to use the officer's BWC. If the person responds negatively, the law enforcement officer shall deactivate the audio and video functions.
- (f) While on the grounds of any public, private, or parochial elementary or secondary school, except when responding to an imminent threat to life or health or a call for service.
 - (g) When on break or otherwise engaged in personal activities.
- (h) In any location where an individual has a reasonable expectation of privacy, such as a residence, a restroom, or a locker room.
- (i) In any instance when it is believed that an explosive device may be present and electrostatic interference from the BWC may trigger the device.
- IX. Except in emergency situations, officers shall inform an individual that he or she is being recorded. When notification is not made, the recording officer shall note the reason for non-notification within the associated report.

X. In locations where an individual has a reasonable expectation of privacy, such as a residence, a citizen may decline to be recorded unless the recording is being made while executing an arrest warrant, or a warrant issued by a court, or the officer is in the location pursuant to a judicially-recognized exception to the warrant requirement. Officers shall inform an individual of this option. If a citizen then declines to be recorded, the officer shall deactivate the audio and video functions. The officer shall document the reason why the camera was not activated in the associated police report.

XI. Once activated, the BWC shall remain activated until the event is completed in order to

ensure the integrity of the recording.

XII. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document why a recording was not made, was interrupted, or was terminated as part of the associated police report.

XIII. Except as authorized in this section, no person, including without limitation officers and their supervisors, shall edit, alter, erase, delete, duplicate, copy, subject to automated analysis or analytics of any kind, including but not limited to facial recognition technology, share, display, or otherwise distribute in any manner any BWC recordings or portions thereof.

XIV. Recorded images and sound made from an agency-issued BWC shall be for law enforcement purposes only. All access to this data shall be audited to ensure that authorized users only are accessing the data for law enforcement purposes only. All access to BWC data shall be authorized by the head of the law enforcement agency and only for the purposes set forth in this chapter.

XV. If an officer is suspected of wrongdoing or involved in an officer-involved shooting or other use of deadly force, the agency may limit or restrict an officer from viewing the video file.

XVI. All recordings shall be securely stored no later than the end of each shift in conformity to the most recent security policy of the Criminal Justice Information Services (CJIS) of the criminal justice information services division of the Federal Bureau of Investigation of the United States Department of Justice. Recordings shall not be divulged or used by a law enforcement agency for any commercial or other non-law enforcement purpose. Where a law enforcement agency authorizes a third party to act as its agent in storing recordings, the agent shall not independently access, view or alter any recording, except to delete videos as required by law or agency retention policies. Neither the agency nor its agent shall subject any recording to analysis or analytics of any kind, including without limitation facial recognition technology and data mining.

XVII. Recordings made by a BWC shall be permanently destroyed by overwriting or otherwise every 180 days, except that such recording shall be retained by the law enforcement agency that employs the officer whose BWC made the recording, or an authorized agent thereof, for up to 3

years if:

- (a) The recording captures images involving any of the following:
- (1) Any action by a law enforcement officer that involves the use of deadly force or restraint.
 - (2) The discharge of a firearm.
 - (3) Death or serious bodily injury.
 - (4) An encounter that results in an arrest for a felony-level offense.
- (5) An encounter about which a complaint has been filed with the police department within 180 days after the encounter.
- (b) The recording is being retained by the law enforcement agency as evidence in a civil or criminal case or as part of an internal affairs investigation or as part of an employee disciplinary investigation.

XVIII. Notwithstanding the provisions of paragraph XVII:

- (a) If there is any other legal requirement for retaining the recording, including but not limited to litigation, a pending criminal case, or a valid court order, then the recording shall be retained only as long as is legally required; and
- (b) The chief law enforcement officer of the agency may designate the recording as a training tool, provided that that a person's image and vehicle license plate numbers shall first be permanently deleted, distorted, or obscured. A recording so designated and prepared may be viewed solely by officers for training purposes only.
- XIX. Any recording undertaken in violation of this chapter or any other applicable law shall be immediately destroyed and shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.
- 2 New Subparagraph; Wiretapping and Eavesdropping; Exceptions. Amend RSA 570-A:2, II by inserting after subparagraph (l) the following new subparagraph:
 - (m) A law enforcement officer to make a body-worn recording pursuant to RSA 105-D.
- 3 New Paragraph; Access to Governmental Records, Exemptions. Amend RSA 91-A:5 by inserting after paragraph IX the following new paragraph:
- X. Video and audio recordings made by a law enforcement officer using a body-worn camera pursuant to RSA 105-D except where such recordings depict any of the following:
- (a) Any restraint or use of force by a law enforcement officer; provided, however, that this exemption shall not include those portions of recordings which constitute an invasion of privacy of any person or which are otherwise exempt from disclosure.
 - (b) The discharge of a firearm.
- (c) An encounter that results in an arrest for a felony-level offense, provided, however, that this exemption shall not apply to recordings or portions thereof that constitute an invasion of privacy or which are otherwise exempt from disclosure.
 - 4 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill:

- I. Regulates a law enforcement agency's use of body-worn cameras.
- II. Exempts such recordings from the wiretapping and eavesdropping statute and, under certain circumstances, from the right-to-know law.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 617-FN-A**, requiring state police to wear a camera when interacting with the public.

REGULAR CALENDAR CONT'D

HB 218-FN, relative to additional funding for third grade proficiency in mathematics. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Mel Myler for the Majority of Education. This bill provides differentiated aid for students not proficient in math. Along with students not reaching this proficient level in reading, math is now made available to local school districts to assist lower achieving students. This bill recognizes that both reading and math are foundations for education. Vote 14-6.

Rep. Christopher Adams for the Minority of Education. It is the opinion of the minority that while the bill has the best interests of the students affected in mind, it is considered to be flawed in several areas. At the time of this vote, it is unknown as to what extent of the student population will be subject to this legislation due to their having not met proficiency on the newly implemented state assessment. Based upon known results from states that have seen results from these new tests, it can be expected that the number of students not meeting proficiency will rise substantially. Accountability for the directed funds is not assured by this legislation, and in fact may provide a disincentive to perform well in these efforts. To date, little evidence of success in improving reading achievement can be attributed to the original legislative attempt. If it is the intent of the committee to improve overall funding for an adequate education, then the committee and legislature should consider a more holistic bill in place of a piecemeal approach to funding of public education.

Majority Amendment (2441h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to third grade proficiency in mathematics.

Amend RSA 198:40-a, II-a as inserted by section 1 of the bill by replacing it with the following:

II-a. An additional \$675 for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading *component or the mathematics* component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year. Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill provides that additional adequacy aid shall be available for each third grade pupil not testing at the proficient level or above on the reading component or the mathematics component of the statewide assessment.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 192 members having voted in the affirmative and 148 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

HB 231, relative to applications for school building aid. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Mary Gile for the Majority of Education. This bill as amended states that a school district which initiated and completed a locally funded school renovation project to remedy a safety condition identified by the state fire marshal on or before June 30, 2017, shall be eligible to include any corrected safety condition in a subsequent application for school building aid submitted by the school district after June 17, 2017. Projects approved must contribute to operational cost efficiencies, consolidation or reduced property tax, and must contribute to the improvement of educational services. Vote 13-7.

Rep. John Balcom for the Minority of Education. The minority felt this was a community expense and should be funded locally.

Majority Amendment (2509h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the criteria for evaluating school building aid applications.

Amend the bill by replacing all after the enacting clause with the following:

1 School Building Aid; Approval of Plans. Amend RSA 198:15-c, II(b)(8) to read as follows:

(8) A school district which initiated and completed a locally funded school renovation project to remedy a safety condition identified by the state fire marshal on or before June 30, 2017 shall be eligible to include any corrected safety condition in a subsequent application for school building aid submitted by the school district after June 30, 2017. This subparagraph shall not apply to a school district or a school that received state emergency funding or other state aid to remedy the safety condition on or before June 30, 2017.

- (9) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.
 - (10) The project contributes to improvement of educational services.
 - (11) Any other criteria that the state board of education may determine are necessary. 2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill adds new criteria for the evaluation of a school building aid application. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 198 members having voted in the affirmative and 133 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

HB 242, relative to the statewide improvement and assessment program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. The amendment replaces the bill as introduced with the requirement that differentiated aid currently provided to school districts for pupils not proficient in reading on the statewide assessment be extended to also include those pupils not proficient in mathematics. New Hampshire has a higher percentage of partially or non proficient third grade students in mathematics than in reading. Statewide testing results from FY 14 identify 30% of third grade students partially or not proficient in mathematics, while 23% of third grade students are partially or not proficient in reading. Mathematics is a key content area in which elementary school students should experience success and have the proper foundation for middle school, high school, and later careers. Vote 17-3.

Amendment (2455h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i)-(j) to read as follows:
- (i) At the end of grade 3, to determine if pupils are [reading] at grade level in reading and mathematics on a standardized [reading] test to be developed by the department as part of a state-wide assessment [system] program.
 - 2 Effective Date. This act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill requires third grade pupils to demonstrate proficiency in the reading and mathematics components of the statewide assessment.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 253, relative to the requirements for filing a charter school application. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. The Department of Education determines the criteria and percentages for charter school applications. The applications are thoroughly examined and all criteria is weighed and analyzed with strong emphasis on mission statement and data to support that statement. Vote 14-6. Committee report adopted.

HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Glenn Cordelli for the Majority of Education. This bill as amended creates a study committee to further examine the student unique pupil identifier and state department of education databases. Given concerns about transparency and use of personal information, further review is needed. In addition, the committee is to study local school database security and privacy policies. Although legislation has been passed in recent years, there are additional areas that need to be examined especially at the local school level. Vote 12-7.

Rep. Mary Heath for the Minority of Education. The minority believes the establishment of a study committee to study New Hampshire's statewide longitudinal data system is unnecessary. The design of the information collected is specified in state and federal laws and rules. The New Hampshire

House has spent long hours delineating what can and cannot be collected. Testimony from local, state and federal representatives over numerous years has provided volumes of input and suggestions. A dictionary of data and terms is an example of such testimony and is now available. The New Hampshire Department of Education clearly posts all aggregated data. For these reasons, the minority believes this bill is not needed.

Majority Amendment (2538h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study the layout and data elements contained in the statewide longitudinal data system and any other department of education maintained database that contains student level data.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - 3 Duties.
 - I. The committee shall:
 - (a) Study the design and layout of each state maintained database that contains student level data.
- (b) Review the technical specifications that were given to contractors who designed and built each database regarding the data elements to be stored in each database.
- (c) Provide transparency by assembling a dictionary of data elements currently being collected and maintained in the statewide longitudinal data system and in any other department of education maintained database that contains student level data.
 - (d) Study the scope, use, and security of school district databases and privacy policies.
- II. The committee may solicit advice and testimony from any individual or organization with information or expertise relevant to the purpose of the committee's study.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.
- 5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Heath spoke against.

Rep. Cordelli spoke in favor.

On a division vote, with 184 members having voted in the affirmative and 137 in the negative, the majority committee report was adopted and referred to the Committee on Executive Departments and Administration.

HB 471, relative to the powers of the state board of education and the duties of school boards. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Glenn Cordelli for the Majority of Education. This bill as amended further defines the responsibilities of local school boards. Local school boards shall be responsible for curriculum and courses.

It further establishes that local boards are responsible for their education standards – as long as they believe the standards meet or surpass state standards. This addresses local concerns about Common Core being mandatory. In addition, if at any point statewide assessments are not given in each grade 3 through 8, the local board will be responsible for assessing students in those years. Vote 12-8. Rep. Mary Heath for the Minority of Education. The minority believes that the bill is simply what is currently the responsibility of a local school district and local school boards. There is no need to establish a new law for something that already exists in rules and statute. It is currently the role of the local school board to establish the structure, advocacy, and delivery of instruction, curricula, courses taught, the adoption of educational standards that meet or exceed state minimum standards, and the assessment thereof. For these reasons, the minority believes that this bill is unnecessary.

Majority Amendment (2433h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of school boards.

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Duty to Provide Education. Amend RSA 189:1-a, II to read as follows: II. In each school operated and governed in its district, the elected school [boards] board shall be responsible for establishing the structure, accountability, advocacy, and delivery of instruction, the curricula and courses taught, the adoption of educational standards that meet or exceed state minimum standards, and the methods for assessing pupil performance in grades 3-8 for the years in which a statewide assessment is not administered to ensure compliance with the requirements of RSA 193-C [in each school operated and governed in its district]. To accomplish this end, and to support flexibility in implementing diverse educational approaches, a school [boards] board shall establish, in each school operated and governed in its district, instructional policies that establish instructional goals based upon available information about the knowledge and skills pupils will need in the future.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill amends the specific duties of school boards. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Heath spoke against.

Rep. Cordelli spoke in favor.

On a division vote, with 177 members having voted in the affirmative and 131 in the negative, the majority committee report was adopted and ordered to third reading.

HB 527, establishing guidelines for school districts relative to the use of school resource officers. OUGHT TO PASS WITH AMENDMENT.

Rep. Ralph Boehm for Education. This bill states that school districts that have a school resource officer must have a memorandum of understanding (MOU) with their local police department. The amendment removes all requirements from what should be in the MOU. Different school districts and their towns have different requirements. This bill only notifies towns and school districts, for their own safety, that an MOU needs to be done. Vote 14-6.

Amendment (2381h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring school districts employing school resource officers to adopt a written agreement. Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; State Board of Education; School Resource Officers. Amend RSA 186:11 by inserting after paragraph XXXVI the following new paragraph:

XXXVII. School Resource Officers. Require each school district in the state to which a school resource officer (SRO) is assigned to develop and implement a policy governing the use of a SRO. A school district policy shall include, at a minimum, a requirement for a signed memorandum of understanding between the school district and the law enforcement agency from which the SRO is deployed.

2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill requires school districts employing a school resource officer to adopt a written agreement. Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 538-FN-L, relative to the implementation of new statewide education annual assessments. REFER FOR INTERIM STUDY.

Rep. Mel Myler for Education. The committee spent considerable time in reviewing the need to allow school districts ample time to transition to new educational standards and the attending student assessment process. There was confusion on the impact of a proper transition period and the need for additional study to fully conclude the transition period necessary that can support local school districts. The committee felt there was more time needed to study the issue of transition time. Vote 11-9. Committee report adopted.

HB 549-FN-A-L, allowing school building aid grants for certain authorized projects. OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Ladd for Education. The continued moratorium on state funding for new school construction and renovation projects is having a negative impact on communities throughout New Hampshire. Well over 50% of New Hampshire's schools (476 buildings total) are over 50 years old. Some buildings have been closed due to declining enrollments, but a large number of school boards are questioning and dealing with the many issues plaguing older buildings that include: life/safety codes, technology requirements, instructional space for the sciences, security issues, special purpose areas for the arts and tutoring, media research centers, and more. There have been a number of projects during the moratorium cycle where communities undertook expensive renovation or new construction without the benefit of state school building aid (SBA) grants. In one year alone, construction bonds to local school districts cost \$176,252,000. These districts did not receive the average SBA contribution of 30% that pre moratorium communities had received. This bill proposes that school building aid be annually set at no less than \$50M. In addition, amending language reduces all percentages within the school building aid formula by 5%. The projected costs of estimated building aid projects for 14/15 approximated \$206.5 million. The state's share under current law would equal \$67.8 million. Including debt payment, and if \$50M is funded, the state would have approximately \$10M for new projects. Combined with a 5% formula reduction, funds may enable another smaller project. The absence of state funding for school building aid is serious and counter productive to maintaining quality education throughout New Hampshire. Vote 17-2.

Amendment (2514h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to school building aid grants.

Amend the bill by replacing all after the enacting clause with the following:

1 School Building Aid; Grant for School Construction. Amend RSA 198:15-a, IV to read as follows: IV. Beginning July 1, [2013] 2016, and every fiscal year thereafter, school building aid grants for construction or renovation projects approved by the department of education shall [not exceed] not be less than \$50,000,000 per fiscal year [less any debt service payments owed in the fiscal year, unless otherwise provided by an act of the general court]. In addition, each fiscal year, there is hereby appropriated to the department of education for the purpose of making school building aid grants pursuant to this chapter, an amount equal to the difference between \$50,000,000 and the state operating budget appropriation for building aid-education, account 06-56-56-561010-6019-77. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. School building aid grants shall be funded from appropriations in the state operating budget and no state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

2 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(1) to read as follows:

(a)(1) For construction authorized by a school district on or before July 1, 2013, the amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into

pursuant to RSA 194:21-a or RSA 194:22, shall be a sum equal to [30] 25 percent of the amount of the annual payment of principal on all outstanding borrowings of the school district, city, cooperative school district, joint maintenance agreement, or receiving district, heretofore or hereafter incurred, for the cost of construction or purchase of school buildings and school administrative unit facilities, or for the cost of acquiring, developing, or renovating any municipally-owned land, buildings, or facilities to be used for school district purposes, to the extent approved by the department of education, provided that any school district may receive an annual grant in the amount of [40] 35 percent for the construction of an educational administration building for a school administrative unit, and provided that the amount of the annual grant in the case of a cooperative school district, a joint maintenance agreement, a receiving district operating an area school, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be [40] 35 percent plus 5 percent for each pre-existing district in excess of 2 and each sending district in excess of one, and provided further that no cooperative school district, joint maintenance agreement, or receiving district operating an area school, shall receive an annual grant in excess of [55] 50 percent.

3 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2)(C) to read as follows:

(C) The amount of the grant to any chartered public school established in accordance with RSA 194-B:3-a shall be [30] 25 percent of the eligible cost of construction.

4 School Building Aid; Alternative School Building Aid Grants. Amend RSA 198:15-v, II(b) to read as follows:

(b) For projects approved after July 1, 2013, the amount of the grant to any school district, city, cooperative school district, joint maintenance agreement, or receiving district shall be a sum equal to the percentage of all approved costs for construction or purchase of school buildings according to the following table:

Building Aid Factor Building Aid Grant

0-59	[60] 55 percent
60-69	[55] 50 percent
70-89	[45] 40 percent
90-114	[40] 35 percent
115 or greater	[30] 25 percent

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires a general fund appropriation equal to the difference between the statutory maximum school building aid grant amount of \$50,000,000 and the state operating budget appropriation for building aid. The bill also amends the percentage of approved project costs for which the state will reimburse a school district.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 611-FN, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education. INEXPEDIENT TO LEGISLATE. Rep. Terry Wolf for Education. This bill calls for approval of agreements and contracts by the entire House and Senate. There are differing levels of oversight through the Finance committees, Joint Legislative Committee on Administrative Rules, and the Executive Council. The committee was concerned that grant money could be lost and the work by the Department of Education could be greatly hindered. Vote 14-5.

Committee report adopted.

HB 625-FN-A, relative to public charter schools. REFER FOR INTERIM STUDY.

Rep. John Balcom for Education. The Education Committee was in favor of charter schools, but the approval process is flawed and needs a potential change in the process. The bill needs additional work and input from school expertise which could prevent the past failures of approved charter schools. Vote 11-8.

Rep. Cordelli spoke against and yielded to questions.

On a division vote, with 185 members having voted in the affirmative and 135 in the negative, the committee report was adopted.

SB 157-FN, relative to encouraging high school students to take and pass a United States citizenship test. OUGHT TO PASS WITH AMENDMENT.

Rep. Barbara Shaw for Education. The bill as amended requires that a locally developed assessment based upon the nature, structure, function, and history of our government, to include the rights and responsibilities of citizens and noteworthy government and civic leaders, be administered as part of the high school history and government course. Students who attain a passing grade on this assessment as determined by the school shall be eligible to receive a certificate of recognition. To comply with this bill, a school may design or use any assessment to measure student competence of elements identified in the bill, including use of the United State Citizenship and Immigration Service Test. Due to the fact that this assessment is much like any other locally designed test given within the required high school course, there is no expense to the district and no oversight required by the Department of Education. This bill establishes a program that recognizes civic minded students who are ready to understand and participate in our system of government. Vote 14-5.

Amendment (2498h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

Amend the bill by replacing all after the enacting clause with the following:

1 School Boards; Instruction in National and State History and Government. Amend RSA 189:11 to read as follows:

189:11 Instruction in National and State History and Government.

I. In all public and private schools in the state there shall be given regular courses of instruction in the history, government and constitutions of the United States and New Hampshire, including the organization and operation of New Hampshire municipal, county and state government and of the federal government. Such instruction shall begin not later than the opening of the eighth grade and shall continue in high school as an identifiable component of a year's course in the history and government of the United States and New Hampshire.

II. As a component of instruction under paragraph I, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the high school course in history and government of the United States and New Hampshire. Students who attain a passing grade on the competency assessment shall be eligible for a certificate issued by the school district. The United States Citizenship and Immigration Services (USCIS) test may be used to satisfy the requirement of this paragraph.

2 Applicability. The provisions of this act shall only apply to students eligible to receive a high school diploma or high school equivalency certificate on or after January 1, 2017.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires students in high school or equivalent to take and pass a government and civics competency assessment as a component of instruction in the history, government, and constitutions of the United States and New Hampshire.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Ladd spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

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YEAS - 267 BELKNAP

Dumais, Russell Hurt, George Spanos, Peter Fields, Dennis LeBreche, Shari Tilton, Franklin Flanders, Donald Luther, Robert Vadney, Herbert Gallagher, Brian Russell, David Varney, Peter

CARROLL

Buco. Thomas Butler, Edward Chandler, Gene Cordelli, Glenn Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Umberger, Karen Wright, Ted

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Eaton, Daniel Johnsen, Gladys Mann, John Parkhurst, Henry Phillips, Larry Roberts, Kris Robertson, Timothy Sad, Tara Sterling, Franklin Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Moynihan, Wayne Rappaport, Laurence Rideout, Leon Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Bailey, Brad Brown, Chris Brown, Duane Cooney, Mary Darrow, Stephen Ford, Susan Gionet, Edmond Hennessey, Erin Hennessey, Martha Ingbretson, Paul Ladd, Rick Massimilla, Linda Nordgren, Sharon Piper, Wendy Shackett, Jeffrey Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Adams, Christopher Backus, Robert Balcom, John Baroody, Benjamin Beaulieu, Jane Boehm, Ralph Byron, Frank Christensen, Chris Christie, Rick Coffey, James Cohen, Alan Cornell, Patricia Cote, David Danielson, David DiSilvestro, Linda Donovan, Daniel Estevez, Eric Flanagan, Jack Forest, Armand Freitas, Mary Gagne, Larry Goley, Jeffrey Gonzalez, Carlos Gould, Linda Griffin, Barbara Guerette, C. Lee Haefner, Robert Halstead, Carolyn Hansberry, Daniel Hansen, Peter Harvey, Suzanne Heath, Mary Hinch, Richard Herbert, Christopher Hogan, Edith Hopper, Gary Infantine, William Jack, Martin Kurk, Neal LeBrun, Donald Leishman, Peter Long, Patrick Mangipudi, Latha McCarthy, Peggy McClarren, Donald McLean, Mark McNamara, Richard Moore, Josh Notter, Jeanine O'Brien, Michael O'Neil, William Ohm, Bill Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Marjorie Proulx, Mark Rosenwald, Cindy Rouillard, Claire Sanborn, Laurie Shattuck, Gilman Shaw, Barbara Smith, Gregory Snow, Kendall Soucy, Timothy Souza, Kathleen Stepanek, Stephen Straight, Phillip Sullivan, Daniel Sullivan, Victoria Takesian, Charlene Ulery, Jordan Walsh, Robert Williams, Kermit Wolf, Terry Woodbury, David

MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Brewster, Michael Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen French, Harold Gile, Mary Henle, Paul Hill, Gregory Karrick, David Kidder, David Kotowski, Frank Kuch, Bill Long, Douglas MacKay, James Marple, Richard Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Walsh, Thomas Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Allen, Mary Azarian, Gary Barnes, Arthur Bates, David Berrien, Skip Borden, David Bush, Carol Cahill, Michael Cardon, G. Thomas Chase, Francis Christie, Andrew

Simmons, Tammy

Marston, Dick

Ober, Russell

112	HOUSE JOUR	NAL JANUARY 0, 2010	
Cook, Allen DiFranco, Debbie Ferrante, Beverly Gannon, William Griffin, Mary Heffron, Frank Kolodziej, Walter McKinney, Betsy Nigrello, Robert Peckham, Michele Sherman, Thomas Tamburello, Daniel Ward, Gerald	Cushing, Robert Duarte, Joe Fesh, Robert Gordon, Pamela Guthrie, Joseph Hoelzel, Kathleen Lovejoy, Patricia McMahon, Charles O'Connor, John Potucek, John Simpson, Alexis Tasker, Kyle Ward, Joanne	DeSimone, Debra Elliott, Robert Francese, Paula Gordon, Richard Hagan, Joseph Itse, Daniel Matthews, Carolyn Milz, David Oligny, Jeffrey Prudhomme-O'Brien, Katherine Sweeney, Joe Thomas, Douglas Welch, David	Devine, James Emerick, J. Tracy Friel, William Green, Dennis Harris, Jeffrey Katsakiores, Phyllis McBeath, Rebecca Moody, Marcia Pantelakos, Laura Rice, Frederick Sytek, John Tilton, Rio Weyler, Kenneth
	ST	RAFFORD	
Baber, William Cheney, Catherine Horrigan, Timothy Pitre, Joseph Spang, Judith Wall, Janet	Bickford, David DeLemus, Susan Kaen, Naida Rollo, Deanna Sprague, Dale Wuelper, Kurt	Bixby, Peter Graham, Robert Leeman, Don Schmidt, Peter Treleaven, Susan	Burton, Wayne Gray, James Mullen, John Smith, Marjorie Turcotte, Leonard
	S	ULLIVAN	
Cloutier, John Grenier, James Schmidt, Andrew	Converse, Larry Laware, Thomas Smith, Steven	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Rollins, Skip
	ľ	NAYS - 65	
		BELKNAP	
Aldrich, Glen	Fraser, Valerie	Howard, Jr., Raymond	Sylvia, Michael
	C	CARROLL	
Avellani, Lino	Comeau, Ed	Ticehurst, Susan	
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Bordenet, John Pearson, William	Hunt, John Shepardson, Marjorie	Ley, Douglas	McConnell, James
		COOS	
Theberge, Robert			
	0	GRAFTON	
Abel, Richard	Hull, Robert	Johnson, Eric	Maes, Kevin
	HILI	LSBOROUGH	
Ammon, Keith Burt, John Ferreira, Elizabeth	Belanger, James Eastman, Eric Gorman, Mary	Biggie, Barbara Edelblut, Frank Lachance, Joseph	Brown, Pamela Edwards, Elizabeth Manley, Jonathan

MERRIMACK

O'Brien, William

Rice, Kimberly

Vann, Ivy

Ober, Lynne

Scontsas, Lisa

Horn, Werner Luneau, David Martin, John Hoell, J.R. McGuire, Carol McGuire, Dan Seaworth, Brian

Murphy, Keith

Parison, James

Twombly, Timothy

ROCKINGHAM

Baldasaro, Alfred Hodgdon, Bruce Tucker, Pamela Cali-Pitts, Jacqueline Kappler, Lawrence Chirichiello, Brian Osborne, Jason Dean-Bailey, Yvonne Schroadter, Adam

STRAFFORD

Gardner, Janice Kaczynski, Jr., Thomas Groen, Warren Stevens, Audrey Hannon, Joseph Whitehouse, Joshua Jones, Laura

SULLIVAN

Irwin, Virginia

and the committee report was adopted and ordered to third reading.

HB 183, relative to voter registration forms. MAJORITY: OUGHT TO PASS, MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Rick Christie for the Majority of Election Law. This bill strikes the language on the voter registration form that requires the registrant to register a motor vehicle and apply for a driver's license within 60 days as per the Supreme Court decision. Vote 13-6.

Rep. Wayne Moynihan for the Minority of Election Law. On May 15, 2015, the NH Supreme Court ordered that it was a violation of the fundamental right to vote, as protected by the NH Constitution. to include the following words, among others, as a part of the Voter Registration Form issued by the Secretary of State's office: "In declaring New Hampshire as my domicile, I am subject to laws of the state of New Hampshire which apply to all residents..." See, Guare v. State of NH affirming order of Superior Court issued on 9/24/2012. In compliance with the court's order, the Secretary of State has removed all such language from the Voter Registration Form. Despite the court's clear ruling on the illegality of this language, with the adoption of this bill those very same words would be restored to RSA 654:7, and to the voter registration form. After retaining the bill last session, an Election Law subcommittee reviewed it in two meetings. The subcommittee had every reason to suspect that it would be illegal to restore these words to the form. At noon on October 20, 2015, the bipartisan subcommittee voted unanimously to recommend to the full committee that the bill be sent to interim study because additional and more definitive information needed to be researched and considered. One hour later, in the executive session of the committee, the bill was called. Without even hearing or considering the subcommittee report, a motion was made to recommend the bill as Ought to Pass. With little new information or discussion, a majority of the committee voted to recommend that the House adopt the bill. For the House to follow the mistaken recommendation of the committee majority would be unfair to NH voters, unwise with regard to known information and the law, apparently contemptuous of the Supreme Court's order, and reckless public policy.

The question being adoption of the majority committee report of Ought to Pass. Rep. Hoelzel offered floor amendment (3030h).

Floor Amendment (3030h)

Amend the bill by replacing section 1 with the following:

- 1 Voter Registration Form. Amend RSA 654:7, IV to read as follows:
- IV.(a) A standard registration application form shall be used throughout the state. The registration form shall be no larger than 8 1/2 inches by 11 inches.
- (b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

Date	WOTER REGISTRATION FOR	•
(Please print or ty	VOTER REGISTRATION FORM pe)	Λ
Last 2. Domicile Address	(suffix) First	Full Middle Name
	Street	Ward Number
	Town or City	Zip Code

3. Mailing Address if different than in 2	
	Street
Town or City	Zip Code
4. Place and Date of Birth Town or City	State
Date	State
5. Are you a citizen of the United States? Yes N	o
If a naturalized citizen, give name of court where and d	
6. Place last registered to voteStreet	
Street	Ward Number
7. Name under which previously registered, if different	from above
8. Party Affiliation (if any)	
9. Driver's License Number	State
If you do not have a valid driver's license, provide	the last four digits of your social security
number	
My name is	I am today registering to vote in the
city/town of I understand that to vote in this city/town, I must be	, New Hampshire.
States citizen, and I must be domiciled in this city/town	
I understand that a person can claim only one state a	
a time. A domicile is that place, to which upon tempor	rary absence, a person has the intention of
returning. By registering or voting today, I am acknowled	edging that I am not domiched or voting in
any other state or any other city/town.	hings to the laws of the state of New Home
[In declaring New Hampshire as my domicile, I am su shire which apply to all residents, including laws requir	in a driver to register a mater webigle and
apply for a New Hampshire's driver's license within 60	deve of becoming a resident
In declaring New Hampshire as my domicile, I realize	a that I am not qualified to vote in the state
or federal elections in another state.	e that I am not quantied to vote in the state
If I have any questions as to whether I am entitled t	o vote in this city/town. I am aware that a
supervisor of the checklist is available to address my qu	
I acknowledge that I have read and understand the ab	ove qualifications for voting and do hereby
swear, under the penalties for voting fraud set forth belo	w that I am qualified to vote in the above
stated city/town, and, if registering on election day, that	at I have not voted and will not vote at any
other polling place this election.	at I have not voted and will not vote at any
other poining place and election.	
Date	Signature of Applicant
In accordance with RSA 659:34, the penalty for k	
information when registering to vote or voting is a	class A misdemeanor with a maximum
sentence of imprisonment not to exceed one year and	a fine not to exceed \$2,000. Fraudulently
registering to vote or voting is subject to a civil pena	alty not to exceed \$5,000.
(c) The secretary of state shall prescribe the for	m of the voter registration form to be used
only for voter registrations at the polling place on the	date of a state general election, which shal
be in substantially the following form:	
Date	ON PODM
VOTER REGISTRATI FOR USE AT THE POLLING PLACE ON THE DATE	
	E OF THE STATE GENERAL ELECTION
(Please print or type)	
1. Name(ouffix) First	Full Middle Name
Last (suffix) First	run Middle Name
2. Domicile Address	Ward Number
Street	wate trumber
Town or City	Zin Code

3. Mailing Addres	s if different than	n in 2	
2		Street	
4 Pl 4 P	Town	or City	Zip Code
4. Place and Date	of Birth	Town or City	
Date		Town or City	State
	n of the United	States? Yes No	
If a naturalized cit	izen, give name	of court where and date when naturalize	red
6. Place last regist	ered to vote		
7. Name under wh	ich previously re	Street egistered, if different from above	Ward Number
8. Party Affiliation	n (if any)		
9. Driver's License	e Number	State	
If you do not ha	ave a valid drive	Statestrong digits	s of your social security
My name is		I am today r	egistering to vote in the
city/town of		, New Hampsl city/town, I must be at least 18 years of	nire.
I understand tha	t to vote in this	city/town, I must be at least 18 years of	age, I must be a United
States citizen, and	I must be domic	ciled in this city/town.	
1 understand tha	it a person can c	laim only one state and one city/town	as his or her domicile a
returning Dy regio	s is that place, to	which upon temporary absence, a per	rson has the intention of
any other state or	any other city/to	today, I am acknowledging that I am no	of domiciled or voting in
		wn. my domicile, I am subject to the laws of	f the state of Novy House
chire which apply	to all recidents	including laws requiring a driver to regi	the state of New Hamp
annly for a New H	lamnshire's drive	er's license within 60 days of becoming	ster a motor venicle and
In declaring Nev	v Hamnshire as i	my domicile, I realize that I am not qua	; a resident.
or federal elections	s in another state	onnene, i reanze mat i am not qua	inied to vote in the state
		ether I am entitled to vote in this city/	town I am aware that a
supervisor of the c	hecklist is availa	able to address my questions or concern	iown, i am awaic mai a
I acknowledge the	hat I have read a	nd understand the above qualifications	tor voting and do hereby
swear, under the pe	enalties for votin	g fraud set forth below, that I am qualif	ried to vote in the above-
stated city/town, as	nd, if registering	on election day, that I have not voted	and will not vote at any
other polling place	this election.	,,	and will not vote at any
Date		Signatur	re of Applicant
If this form is used	I in place of pro-	of of identity, age, citizenship, or domi-	cile, I hereby swear that
such information is	s true and accura	ite to the best of my knowledge.	
This form was ex		es of proving (applicant shall circle yes or	no and initial each item):
Identity	yes/no		
		(initials)	
Citizenship	yes/no	and the same of th	
		(initials)	
Age	yes/no	The state of the s	
***		(initials)	
Domicile	yes/no		
		(initials)	
	Applicant	Floation	Official
P	-ppricunt	Election	Official

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Reps. Hoelzel and Moynihan spoke in favor.

On a division vote, with 280 members having voted in the affirmative and 44 in the negative, floor amendment (3030h) was adopted.

Majority committee report adopted and ordered to third reading.

REMOVED FROM THE CONSENT CALENDAR

SPECIAL ORDER

HB 405-FN, requiring the department of health and human services to license supervised visitation centers. **INEXPEDIENT TO LEGISLATE.**

Rep. Caroletta Alicea for Children and Family Law. Currently, the criteria to obtain licensing for supervised visitation centers have not yet been written and there is no designated entity to perform the licensing. The committee believes that funding, which is not available, would be necessary to institute licensing. Vote 16-0.

Rep. DeSimone spoke in favor and yielded to questions.

Rep. Oligny spoke against, yielded to questions and requested a roll call; not sufficiently seconded. On a division vote, with 228 members having voted in the affirmative and 91 in the negative, the committee report was adopted.

Rep. Peterson declared a conflict of interest and did not participate in the vote.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, January 7, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

HB 114, establishing beer specialty licenses.

HB 356, establishing a commission to study cryptocurrency regulation.

SB 64, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

HB 110, relative to placement of political advertising.

HB 659-FN-L, relative to eligibility for an absentee ballot.

HB 466, relative to farm tractor plates for certain specialized vehicles.

HB 377, establishing a state geographic information system committee.

SB 227, relative to calculating the cost of an adequate education.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program.

HB 629-FN, relative to induced termination of pregnancy statistics.

SB 45, establishing a committee to study opioid use in workers' compensation cases.

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

HB 351, exempting historically significant vehicles from emission control requirements.

HB 535-FN, relative to signs advising motorists approaching highway emergencies.

SB 144, relative to carry-over coverall bingo and shared carry-over coverall bingo.

HB 513, relative to complaint investigation procedures of the guardian ad litem board.

HB 197-FN, relative to sales and samples provided by wine manufacturers.

HB 601-FN, relative to cash dispensing machine requirements.

SB 110-FN, establishing the administrative supervision act.

HB 504, relative to online driver education.

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

HB 605-FN, relative to mandatory minimum sentences.

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

HB 471, relative to the duties of school boards.

HB 527, requiring school districts employing school resource officers to adopt a written agreement. SB 157-FN, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

HB 183, relative to voter registration forms.

UNANIMOUS CONSENT

Rep. Welch requested Unanimous Consent of the House regarding New Hampshire having the oldest state constitution.

Rep. Welch addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports. Motion adopted.

The House recessed at 4:35 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 2

Thursday, January 7, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Rabbi Robin Nafshi of Temple Beth Jacob in Concord. Our God, and the God of all people: God of the poor and God of the powerful; God of the rich and God of the wretched; God of hubris and God of humility; God of those who believe and God of those who are beleaguered; God of those who have no God: We come together this morning - in this place of privilege and power - to pray on behalf of those who have been chosen to lead our great State of New Hampshire. On this day of deliberation, may You open our eyes so that we might see the possibilities that lie in front of us. May we hear the cries of those who are in pain - who suffer from the inequities and inequalities that plague our cities and towns. And may we hear the exuberance of those who are inspired by hope and the promise of tomorrow. May this be a day of transformation. May you, our legislators, find ways to connect with one another - to build bridges of cooperation and collaboration that break down the barriers of political isolation and one-upmanship. May every disagreement that occurs in this room be for the sake of a common vision of a path to improve our State - to improve our communities - to improve this sacred chamber - to improve ourselves. May you treat one another with dignity and respect. May you heed God's call to avoid lashon hara - hateful speech - as God teaches that such speech damages the speaker, the hearer, and the person about whom the speaker speaks. God, You have given us the ability to learn and to grow. May we strive to accept the individual gifts that we all bring to our collective work. May we treasure the possibilities that emerge from our deliberations. And may the work that we do bring us one more step closer to the perfection of Your all too imperfect world. Help us to see Your presence wherever we gaze. Forgive us for our weaknesses. Push us to go beyond our limitations. God, help these men and women work together to do the vitally important work of shepherding our great state of New Hampshire toward a path of compassion and wholeness. Heal our divisions. And let us say: Amen.

Representative June Frazer, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by Brooke Mills, a student at Concord High School.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Cynthia Chase, Donovan, Doucette, Emerson, Barbara French, Kellogg, Knowles, Major, Priestley, Chip Rice, Sanders, Stephen Schmidt, Seidel and Douglas Thomas, the day, illness.

Reps. Abramson, Bailey, Baroody, Barry, Bennett, Booras, Bouldin, Duane Brown, Rebecca Brown, Butler, Crawford, DiSilvestro, Fisher, Friel, Fromuth, Gardner, Goulette, Haefner, Hagan, Martha Hennessey, Higgins, Hill, Hirsch, Kenison, McBeath, Milz, Nigrello, William O'Brien, O'Connor, O'Hearne, O'Neil, Oligny, Packard, Piper, Russell, Sad, Marjorie Smith, Suzanne Smith, Timothy Smith, Southworth, Sterling, Stevens, Joe Sweeney, Tamburello, True, Verschueren and Zaricki, the day, important business.

Reps. Cohen and Ferrante, the day, illness in the family.

Rep. Jeudy, the day, death in the family.

INTRODUCTION OF GUESTS

Hannah Rowe, granddaughter of Rep. Rowe, and Isabel Cullen, students at Souhegan High School, Pages for the day.

Ernest Kastning, guest of Rep. Kuch. Alexander Roubian and Alan Rice, guests of Reps. Hoell and Burt. Stephanie Mills and Patricia Voisy, mother and grandmother of the singer, guests of the Concord Delegation. Andrew Rowe, son of Rep. Rowe. Sarah Jasper, daughter and guest of the Speaker.

SPECIAL GUEST PRESENTATION

The Honorable Jim Gilmore, former Governor of the Commonwealth of Virginia, and 2016 Presidential candidate, addressed the House.

REGULAR CALENDAR CONT'D FROM JANUARY 6, 2016

HB 372, relative to certain private employers under workers' compensation. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill solves a problem for small entrepreneurial farmers who find the need to use occasional or casual labor a few hours a week, perhaps on a weekend, to perform tasks such as overseeing a U-pick plot, harvesting remaining fruit, or picking up pumpkins. Currently, they are required to purchase yearly workers compensation insurance for such labor. This bill allows the farmer/owner to be exempted from this requirement, provided the farmer/owner has an aggregated payroll of less than \$10,000 per year and is covered by a liability insurance policy of not less than \$300,000 and medical payment coverage of not less than \$5,000. Vote 15-2.

Rep. Christy Bartlett for the Minority of Environment and Agriculture. This bill would allow Employers Liability (EL) in place of Workers' Compensation (WC) for small farmers. The issue is whether EL provides adequate coverage for an injured employee in a hazardous job, for which all agree that many farm operations include. EL requires that the injured employee prove negligence on the part of the employer, which could require the hiring of an attorney by the employee. The insurance carrier only represents the interests of the employer and has a limit of liability coverage, above which there would be no additional coverage. WC provides no-fault coverage for medical costs, loss of income, a survivor and death benefit, and re-training if necessary. The insurance carrier handles the claim with the injured employee from the time of notice. Farm operations have many tasks, some of which can be very hazardous and some employees could be quite young. Handling of large animals such as swine, horses, and cows are included in the classification. Operating farm machinery may also be done without a great deal of training for occasional employees. Even small farms have tractors and other equipment, and many small farms do not own new equipment with modern safety features. In addition, there are no monoline Employers Liability insurance carriers. Coverage would only be obtainable as part of a farmowner policy; which, again, is a very limited market in NH with few insurance companies writing this coverage. Many small farmers are unlikely to purchase a farmowners policy due to the increased cost. For little, if any, premium savings, this bill would not adequately protect an injured employee. The limits of an Employers Liability policy may also not protect the assets of the employer/farmer.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **HB 372**, relative to certain private employers under workers' compensation, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 499, permitting New Hampshire farmers to sell certain farm raised animals directly to the public. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George Saunderson for Environment and Agriculture. This bill as amended would enable farmers who raise bison, a species exempt from US Department of Agriculture (USDA) inspection requirements, to put the animal down at the farm, have it butchered at a federally inspected custom exempt facility, and then directly sell the meat to consumers at his or her farm, farm stand, farmers' markets, or to restaurants. Keeping in mind the importance of food safety, the committee thoroughly studied this issue and crafted an amendment that adequately protects the consumers of New Hampshire, while at the same time encouraging the production and accessibility of local food within the state. Vote 15-2.

Amendment (2473h)

Amend the title of the bill by replacing it with the following:

AN ACT permitting New Hampshire farmers to sell farm-raised bison directly to the public.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Food Service Licensure; Exemption; Bison. Amend RSA 143-A:5 by inserting after paragraph VIII the following new paragraph:

IX. A farm owned or operated by any person, firm, or corporation that raises bison and sells bison for human consumption, and the direct sale within this state of the carcasses, parts, meat, and meat food products of such animals to the consumer from such farm, at the producer's farm stand, and by the producer at farmers' markets and licensed restaurants.

2 New Paragraph; Meat Inspection; Exemption; Bison. Amend RSA 427:16 by inserting after

paragraph IV the following new paragraph:

V. The slaughter of bison shall be exempt from the provisions of this subdivision requiring inspection of the slaughter of animals and preparation of the carcasses, parts thereof, meat and meat food products for sale within this state to the public. The slaughter of the bison shall be permitted only:

(a) When the owner of the bison designates a slaughter area on the farm premises.

(b) When the bison is slaughtered humanely under RSA 427:33 by the owner or the owner's full time or seasonal employee.

(c) From September 1 to April 30.

- (d) When no more than 12 hours passes from the time of slaughter to the placement of the carcass in a refrigerated facility.
- (e) When a veterinarian licensed under RSA 332-B conducts an ante-mortem inspection of each bison on the day of slaughter, witnesses the slaughter, conducts a post-mortem inspection of the carcass, and documents his or her inspection in a report on forms provided by the state veterinarian.

(f) When the veterinarian and owner shall make a report of the slaughter which contains the following:

(1) Name, address, phone number of animal owner.

(2) Identification number on animal (to assure same carcass arrives at butcher).

(3) Date, time, location of examination.

- (4) Statement that the examination was visual.
- (5) Live animal was examined both at rest and in motion.
- (6) Ante-mortem examination stating live animal is free from any observed abnormalities, including but not limited to:
- (A) No observed lameness, stiffness, abnormal body positions (e.g. tucked abdomen, arched back, extended neck or tail, etc).
 - (B) No abnormal discharges or odors.
 - (C) No blisters or vesicles observed.
- (D) No abnormal growths, swellings, enlargements, injuries, loss of hair or other skin lesions, infestations (e.g. maggots), labored breathing, diarrhea.
- (E) Animal did not appear abnormally nervous or restless, excessively anxious or upset, depressed, disinterested, blind.
 - (F) Animal did not stagger, circle, head press, salivate excessively, rub or scratch excessively.
 - (G) Both eyes present and normal.
- (7) Post-mortem examination stating carcass is free from any observed abnormalities, including:
 - (A) Mouth, tongue, eyes appear normal.
 - (B) Lymph nodes appear normal.
 - (C) No observed lumps, bumps, growths.
 - (D) No abnormal odors or discharges.
 - (E) No adhesions or ongoing infectious processes.
- (8) This statement: "A veterinarian licensed to practice in the state shall be held harmless from either criminal or civil liability for any decisions made for services rendered in good faith under the provisions of RSA 427:16, V. Such a veterinarian is, therefore, protected from a lawsuit for his or her part in any illness, product quality failure, or other concern resulting from the products of this animal." Liability for any illness or product quality failure shall rest solely and completely with the animal owner.
- (9) A certification by the animal owner that this animal is free from antibiotic, dewormer, and chemical residues, and that the label instructions were followed regarding the withdrawal of such substances.
 - (10) Signature blocks for both the veterinarian and the animal owner.
- (g) When such animal is transported to and processed at a facility that is eligible to conduct custom exempt activities as regulated by the United States department of agriculture pursuant to 21 U.S.C. section 23(a) and associated departmental regulations.
- (h) When the owner of the bison shall retain the original copy of the report made in subparagraph (f). A copy of such report shall accompany the bison carcass to the processing establishment. The processing establishment shall retain a copy of the report for one year. For purposes of this paragraph, a processing establishment includes professional meat cutters which are open year round.

(i) If bison meat is ground for sale, then it shall be tested by the processing establishment for Escherichia coli and Salmonella at the bison owner's expense.

3 New Subdivision; Meat from Bison; Labeling. Amend RSA 143-A by inserting after section

17 the following new subdivision:

Meat from Bison

143-A:18 Labeling; Meat from Bison. All packaging containing carcasses, parts, meat, and meat food products of bison exempt from the requirements of RSA 427 sold by a farm shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

143-A:19 Purchase of Uninspected Bison by Licensed Restaurants.

I. A licensed restaurant may purchase uninspected, processed, bison from bison producers exempt from the requirements of RSA 427. All packaging containing uninspected bison shall be clearly labeled to include, but not be limited to, the following information: the name and address of the farm where the product originates and the date of slaughter.

II. For at least 90 days from the date of each purchase, the licensed restaurant shall keep on file the receipt of purchase to include the product purchased, the date of purchase, the name of the

producer, the name and address of the farm, and phone number.

III. The licensed restaurant shall clearly label any menu item containing uninspected bison with the following statement: "This product has been raised and processed on a New Hampshire farm and is exempt from state and federal inspection."

4 New Subdivision; Meat from Bison; Labeling. Amend RSA 427 by inserting after section 59

the following new subdivision:

Meat from Bison

427:60 Labeling; Meat from Bison. All packaging containing carcasses, parts, meat, and meat food products of bison exempt from the requirements of RSA 427 sold by a farm shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows the sale of bison meat and meat food products to the public.

This bill also describes the inspection process for sellable bison meat.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Andrew Christie moved that **HB 475**, prohibiting the state from engaging in acts of civil forfeiture, be made a Special Order immediately following action on **HB 636-FN**, relative to forfeiture of property, from the Committee on Judiciary.

REGULAR CALENDAR CONT'D

HB 488, relative to an abusive work environment and the health and safety of public employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes a commission to develop a policy for NH state agencies to prevent abusive work environments. Governor Hassan adopted a 'Respect in the Workplace Initiative' in May 2015 designed to ensure that disrespectful behavior is addressed immediately when it is detected. The sponsor and the committee agree that employee conduct is more appropriately addressed by internal policies rather than legislation. Therefore, all agree that this bill is not necessary. Vote 12-0. Committee report adopted.

HB 533, relative to arc-fault circuit-breaker protection in residential construction. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. J.R. Hoell for the Majority of Executive Departments and Administration. The bill as amended

kep. J.R. Hoell for the Majority of Executive Departments and Administration. The bill as amended will allow an exception to the electrical code under certain circumstances. Arc fault circuit interrupter (AFCI) devices are designed to disable an electrical circuit that is experiencing electrical arcs. These sensitive devices frequently trip when no fault exists, leading to homeowner frustra-

tion or worse, the disabling of critical or life-safety equipment. Unlike ground fault interrupter (GFI) devices, AFCIs can trip when a motor turns on (refrigerator, vacuum, medical equipment, etc.). This bill will grant an exception to the building code in that it allows an electrician to replace an AFCI circuit breaker with a standard breaker when the homeowner is experiencing problems. Replacement can occur only after the integrity of the circuit has been confirmed and the possibility of faults have been eliminated. The bill does not remove the requirement for the installation of AFCI devices from the code, but allows their removal only when problems are being experienced. The bill requires code enforcement officials to be notified when an AFCI device has been removed. Vote 6-5.

Rep. Peter Schmidt for the Minority of Executive Departments and Administration. This bill deals with a very difficult and subtle issue: how to protect the general public while still allowing for an exception from code requirements in appropriate cases, when working with modern safety developments in electrical technology. The case in point involves the arc-fault circuit interrupter (AFCI), a relatively new electric circuit protection device currently required in new construction in NH. The ED&A Committee heard persuasive testimony relative to an elderly NH resident with severe respiratory problems requiring her to use an oxygen generator, i.e. a clear life-safety issue. Her oxygen device caused frequent nuisance tripping of the AFCI in her bedroom circuit, which resulted in onerous and unacceptable conditions for her to reset the AFCI and continue use of her oxygen generator. As introduced, this bill was unacceptably wide-ranging in the committee's view, but the matter required remediation, as well. An ED&A subcommittee met some 10 times with stakeholders from affected sectors. The minority recognizes the good work of all involved, but believes the issue is best left in the hands of the oversight boards of the relevant trades, which can act with much faster and more expert remedial steps.

Majority Amendment (2515h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to installation requirements for arc-fault circuit interrupters.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; New Hampshire Building Code; Installation of Arc-Fault Circuit Interrupters; Exception. Amend RSA 155-A by inserting after section 3-b the following new section:

- 155-A:3-c Installation of Arc-Fault Circuit Interrupters (AFCI); Exception. Notwithstanding any provision of the state building code or state fire code requiring the installation of arc-fault circuit interrupters, after repeated tripping of an AFCI device and determination the branch circuit is not causing the AFCI to trip, an AFCI device may be replaced with one without AFCI protection in accordance with this section.
- I. All receptacle outlets supplied by the branch circuit without AFCI protection shall be marked "No AFCI Protection."
 - II. Incident reports shall be filed by registered letter or email with a read receipt requested:
 - (a) By the property owner to all occupants as applicable; and
 - (b) By the electrician with the electricians' board if he or she is performing the replacement.
 - III. The time periods for the AFCI device replacement and incident reporting shall be as follows:
- (a) The device without AFCI protection shall be permitted to remain in place for the period of time it takes for the manufacturer to resolve the matter.
- (b) The incident report shall be postmarked within 5 working days or by email with an electronic read receipt request within 5 working days of replacing the AFCI device.
 - 2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill permits an arc-fault circuit interrupter (AFCI) device to be replaced with a device without AFCI protection in certain circumstances.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Peter Schmidt spoke against.

Rep. Proulx spoke in favor and yielded to questions.

On a division vote, with 204 members having voted in the affirmative and 104 in the negative, the majority committee report was adopted and ordered to third reading.

HB 602-FN, relative to the use of drones. OUGHT TO PASS WITH AMENDMENT.

Rep. Mark Proulx for Executive Departments and Administration. Drones have a number of very reasonable and beneficial uses for the purposes of commerce, law enforcement and government. They are also becoming increasingly popular among hobbyists. In fact, it is estimated that 1 million drones will be sold during the holiday season this year. HB 602 as amended is the first step in codifying some basic drone regulation at the state level. The bill is designed to establish sensible standards for public and private drone users that balance the many social and economic benefits with the need to protect public and private property and individual privacy rights. Vote 12-0.

Amendment (2493h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Drones. Amend RSA by inserting after chapter 644 the following new chapter:

CHAPTER 644-A DRONES

644-A:1 Definitions. In this chapter:

I. "Airspace" means the space above the ground in New Hampshire.

II. "Automated surveillance" means surveillance employing a mechanical or electronic device, computer or software, including but not limited to facial recognition technology, that functions continuously without continuous input from a human operator.

III. "Commercial purpose" means to exchange for money, goods or services or to exchange with the intention of directly or indirectly benefiting any business or other undertaking intended for profit.

IV. "Critical infrastructure" means a petroleum or chemical production, transportation, storage or processing facility; a chemical manufacturing facility; a pipeline and any appurtenance thereto; a wastewater treatment facility; a water treatment facility; a power generating station, plant or substation and any appurtenance thereto; any transmission line that is owned in whole or in part by a utility regulated under state law; a telecommunications central switching office; a flood control, hydroelectric power generation or water supply dam or reservoir; a county, city, or town jail or detention facility, police station or fire station; and any prison, facility, or institution under the control of the department of corrections. The term shall not include any facility or infrastructure of a utility that is located underground.

- V. "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:
 - (a) Does not carry a human operator;
 - (b) Uses aerodynamic forces to provide vehicle lift;
 - (c) Can fly autonomously or be piloted remotely; and
 - (d) May be expendable or recoverable.

VI. "Government" means the federal government, the state government and any political subdivisions thereof, and state and municipal agencies and departments, including employees and agents.

VII. "Image" means a record, including a photograph, of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.

VIII. "Imaging device" means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.

IX. "Individual" means a living human being.

X. "Information" means any evidence, images, sounds, or data gathered by a drone.

XI. "Law enforcement agency" means a lawfully established state, county, or municipal agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of the criminal laws.

XII. "Law enforcement officer" means a duly sworn employee of a law enforcement agency who is invested with the power of arrest or the detection of crime.

XIII. "Person" means individuals, partnerships, limited liability companies, corporations and any other organizations, including for-profit and not-for-profit entities, but excluding government.

XIV. "Surveillance" means the willful act of tracking or following, while photographing, taking images of, listening to, or making a recording of: (a) a recognizable individual or a group of individuals, including their movements, activities or communications, or (b) motor vehicles identifiable by their license plates. The term does not include such activities on real estate in which a person has a legal interest.

644-A:2 Government Use of Drones Limited; Exceptions.

I. Except as provided in paragraph II:

(a) No government shall use a drone, or obtain, receive, use, or retain information acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws;

(b) No government shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air; and

(c) No government shall operate a drone at a height of less than 250 feet over privately-

owned real property unless it has the consent of its owner.

II.(a) Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use or retain information acquired by or through a drone, for law enforcement purposes under the following conditions only:

(1) If surveillance is undertaken, with the prior consent of the person who is the subject of surveillance and the owner or lessee of the property which is the subject of the surveillance.

- (2) If a government first obtains a search warrant signed by a judge and based on probable cause or the use of a drone is pursuant to a legally-recognized exception to the warrant requirement. A search warrant authorizing the use of a drone shall specify the period for which operation of the drone is authorized, which period shall not exceed 10 days unless subsequently renewed by a judge.
- (3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence, or to assist in locating missing, abducted or lost individuals, hunters or hikers, or to rescue persons in natural disasters, injured persons or persons in need of medical assistance.

(4) To counter a high risk of a terrorist attack or incident by a specific individual or organization which the United States Department of Homeland Security determines that credible

intelligence indicates that there is such a risk.

(5) To increase situational awareness in understanding the nature, scale, and scope of an incident which has occurred and for planning and coordinating an effective and legal response, provided the incident is limited geographically and in time.

(6) To support the tactical deployment of law enforcement personnel and equipment in

emergency situations.

(7) To document a specific crime scene, traffic crash scene or other major incident scene, such as a disaster caused by natural or human activity, provided such documentation is conducted in a geographically confined and time-limited manner.

(8) For purposes of training law enforcement officers or others in the proper, safe, and

legal use of drones.

- (b) A government which uses a drone, or obtains, receives, uses or retains information acquired by or through a drone, pursuant to paragraph II may do so only if (i) specifically authorized by the chief law enforcement officer of a law enforcement agency, or a supervisor designated by the chief law enforcement officer, (ii) is not operated in an unsafe manner and (iii) is not operated in violation of United States Federal Aviation Administration regulations.
- (c) The use of a drone by a government under subparagraphs II(a)(4) shall be limited to a period of 48 hours of its initial use after which a search warrant or other court order signed by a judge shall be required. The use of a drone by a government under subparagraphs II(a)(5)-(8) shall be limited to a period of 48 hours of its initial use after which reauthorization shall be required

(d) Within 5 business days of the initiation of the use of a drone under paragraph II(a), the government shall report in writing the use of a drone to the attorney general who shall annually

post such reports on the department of justice website in a searchable format.

III. Unless the fact of a violation is being disputed, information obtained by a government in violation of paragraphs I and II shall, within 12 hours after the discovery of the violation, be permanently and irretrievably destroyed, shall not be transferred to another government or person, shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

IV. Images of identifiable individuals obtained by a government pursuant to paragraphs I or II shall be blurred, deleted or otherwise de-identified as soon as practicable but in any case within 30 days after being obtained unless such images may be evidence in a criminal investigation.

V. No government shall own, use, or exercise control over a drone that is equipped with any

kind of lethal or non-lethal weapon.

VI. Notwithstanding paragraph V, a law enforcement agency may use a drone to disperse lachrymatory agents to quell a violent mass civil disorder or riot as defined in RSA 644:1 where:

(a) The purpose of the use of the chemical agent is to disperse the crowd and the use of other lesser forms of force have been exhausted, are unavailable, or would be clearly ineffective;

(b) The agency has obtained a court order authorizing its use or there is such an imminent or ongoing threat to life, serious bodily injury, arson, ongoing looting, or substantial damage to property that exigent circumstances require immediate action to prevent further serious harm that would be reasonably likely to occur in the time that it would take to obtain a court order;

(c) The crowd has ignored, failed, or refused to disperse after being given a lawful order to disperse or withdraw given immediately prior to the use of the chemical agent;

- (d) The wind speed and direction and other climatic conditions are such that it is likely the dispersion of the chemical agent will be confined to the immediate area of the riot or illegal gathering, time has been provided for the crowd to disperse, and the effect of chemical agent on uninvolved persons who might experience an abnormally adverse reaction to the agent is taken into consideration; and
- (e) The dispersal method used by a drone is restricted to powder or aerosol form and shall not include tear gas projectiles, canisters, or barricade piercing projectiles fired into rioters from the air.

VII. A government that owns, uses, or exercises control over a drone that causes injury to a person or a person's property shall be liable for such injury.

- VIII. A government that owns, uses, or exercises control over one or more drones shall annually on July 1 submit a written or electronic report to the attorney general containing information on the number of such drones, the number of times each such drone was used during the prior year and, in general terms, the purpose of each such use. The attorney general shall annually post such reports on the department of justice website in a searchable format.
 - 644-A:3 Non-government Use of Drones Limited; Exceptions.

I. No person shall use a drone to engage in automated surveillance.

II. No person shall use a drone to engage in surveillance for commercial purposes without the prior consent of each affected person and each owner or possessor of affecting buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no-trespassing sign or similar notice.

III. No person shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

IV. No person shall:

- (a) Operate a drone within a horizontal distance of 500 feet or a vertical distance of 400 feet from critical infrastructure without the written consent of the owner of the critical infrastructure;
- (b) Allow a drone to make contact with critical infrastructure facility, including any individual or object on the premises of or within the critical infrastructure; or

(c) Allow a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility or its occupants.

V. No person shall own, use, or exercise control over a drone that is equipped with any kind of lethal or non-lethal weapon. This prohibition shall not apply to a person who is a federal government military contractor using or exercising control over a drone which is equipped with a non-lethal weapon and which is flying over real property in which the person has a legal interest.

VI. Any person that owns, uses, or exercises control over a drone in this state that causes injury to a person or a person's property shall be liable for the injury.

VII. No person shall use a drone to harass or stalk another person.

VIII. No person shall operate a drone at a height of less than 250 feet over privately-owned

real property unless the person has the consent of its owner.

644-A:4 Airport Prohibition. No government or person shall operate a drone within 5 miles of any airport in this state in a manner that does not comply with relevant federal law and Federal Aviation Administration regulations and guidelines in effect at the time.

644-A:5 Identification. Each owner of a drone shall identify the drone with the owner's name,

address and telephone number in permanent ink in a font size not less than 12 picas.

644-A:6 General Prohibition. Except as otherwise provided in this chapter, no government shall use an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent, nor shall any person use an imaging device to record an image of an identifiable individual on privately-owned real property in which the person does not have a legally-recognized interest in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (i) is within an enclosed structure or (ii) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

644-A:7 Federal Preemption. If federal law preempts any provision of this chapter, that provision

shall not apply.

644-A:8 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with newsgathering activity.

644-A:9 Penalties.

I. A government employee or agent who violates RSA 644-A:2, other than the reporting requirements in 644-A:2, II(c) and 644-A:2, VIII, shall be guilty of a class A misdemeanor. A government employee or agent who violates the reporting requirements in RSA 644-A:2, II(c) or 644-A:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 644-A:2 may be subject to a civil penalty of up to \$10,000

which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state.

IV. A person who violates RSA 644-A:3, I-VII shall be guilty of a class A misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

2 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill regulates the use of drones by government agencies and individuals. It establishes criminal penalties and civil remedies for violations of the law.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Hoell spoke against.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 246 NAYS 66

YEAS - 246 BELKNAP

		BELKNAP	
Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	LeBreche, Shari	Tilton, Franklin	
		CARROLL	
Buco, Thomas	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Ticehurst, Susan	Umberger, Karen		
		CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Roberts, Kris	Robertson, Timothy	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	
		COOS	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne		·	
		GRAFTON	
Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Shackett, Jeffrey	Sykes, George	Townsend, Charles	White, Andrew
	HIL	LSBOROUGH	
Backus, Robert	Balcom, John	Beaulieu, Jane	Belanger, James
Boehm, Raiph	Brown, Pamela	Byron, Frank	Christensen, Chris
Coffey, James	Cornell, Patricia	Cote, David	Danielson, David
Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Goley, Jeffrey	Gorman, Mary
Gould, Linda	Griffin, Barbara	Guerette, C. Lee	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Jack, Martin	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy
McNamara, Richard	O'Brien, Michael	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa	Shattuck, Gilman
Shaw, Barbara	Smith, Gregory	Snow, Kendall	Soucy, Timothy
Straight, Phillip	Sullivan, Daniel	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Vann, Ivy	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David		
	MI	ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge Helen	Dohorty David	Ehol Koron	Canana Isaa

Ebel, Karen

Henle, Paul

Kotowski, Frank

MacKay, James

Frazer, June

Horn, Werner

Marple, Richard

Kuch, Bill

rinoca, Caroletta	Darnett, Officity
Deloge, Helen	Doherty, David
French, Harold	Gile, Mary
Karrick, David	Kidder, David
Long, Douglas	Luneau, David

128 Moffett, Howard Myler, Mel Parent, Jason Patten, Dick Saunderson, George Schuett, Dianne Ratzki, Mario Rogers, Katherine Wallner, Mary Jane Walsh, Thomas Shurtleff, Stephen Turcotte, Alan ROCKINGHAM Azarian, Gary Barnes, Arthur Abrami, Patrick Allen, Mary Cardon, G. Thomas Borden, David Cahill, Michael Berrien, Skip Cushing, Robert Chase, Francis Christie, Andrew Cook, Allen Elliott, Robert Devine, James DiFranco, Debbie DeSimone, Debra Gordon, Pamela Emerick, J. Tracy Fesh, Robert Francese, Paula Guthrie, Joseph Griffin, Mary Gordon, Richard Green, Dennis Heffron, Frank Hoelzel, Kathleen Introne, Robert Harris, Jeffrey Lundgren, David Lovejoy, Patricia Katsakiores, Phyllis Kołodziej, Walter Moody, Marcia McKinney, Betsy Matthews, Carolyn Manning, John Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Pantelakos, Laura Simpson, Alexis Schroadter, Adam Sherman, Thomas Rice, Frederick Ward, Gerald Vose, Michael Tilton, Rio Sytek, John Weyler, Kenneth Webb, James Welch, David Ward, Joanne Woitkun, Steven STRAFFORD Bickford, David Bixby, Peter Beaudoin, Steven Baber, William Cheney, Catherine Cilley, Jacalyn DiSesa, Len Burton, Wayne Kaen, Naida Leeman, Don Graham, Robert Grav. James Rollo, Deanna Schmidt, Peter Mullen, John Pitre, Joseph Treleaven, Susan Wall, Janet Spang, Judith Sprague, Dale Sullivan Grenier, James Gagnon, Raymond Gottling, Suzanne Cloutier, John Oxenham, Lee Rollins, Skip Laware. Thomas Irwin, Virginia Schmidt, Andrew Smith, Steven **NAYS - 66** BELKNAP Hurt, George Spanos, Peter Howard, Jr., Raymond Aldrich, Glen Svlvia, Michael Vadney, Herbert CARROLL Avellani, Lino Wright, Ted CHESHIRE McConnell, James Phillips, Larry Hunt, John Eaton, Daniel GRAFTON Johnson, Eric Hull, Robert HILLSBOROUGH Α h C

Ammon, Keith	Biggie, Barbara	Burt, John	Christiansen, Lars
Christie, Rick	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Gidge, Kenneth	Halstead, Carolyn	Lachance, Joseph
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Simmons, Tammy
Sullivan, Victoria			

MERRIMACK

Brewster, Michael	Hoell, J.R.	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Wheeler, Deborah	

ROCKINGHAM

Baldasaro, Alfred Bates, David Bush, Carol Cali-Pitts, Jacqueline Chirichiello, Brian Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Osborne, Jason Spillane, James Tasker, Kyle

STRAFFORD

DeLemus, Susan Groen, Warren Hannon, Joseph Horrigan, Timothy Jones, Laura Kaczynski, Jr., Thomas Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Converse, Larry

and the committee report was adopted and referred to the Committee on Criminal Justice and Public Safety.

SPECIAL ORDER

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. OUGHT TO PASS.

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill prohibits the use of drones to obtain evidence unless authorized in certain circumstances. The first exception is to counter a highrisk of a terrorist attack. The second exception is where a law enforcement agency first obtains a search warrant. The third exception is where a law enforcement agency has reasonable suspicion that swift action is needed to prevent imminent danger to life, serious danger to property, forestall the imminent escape of a suspect or destruction of evidence, or to facilitate the search for a missing person. Vote 15-2.

MOTION TO LAY ON THE TABLE

Rep. Tholl moved that **HB 240**, prohibiting law enforcement agencies from using a drone to collect evidence, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 661-FN, relative to record keeping for sold or transferred animals. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Andrew Christie for the Majority of Executive Departments and Administration. This bill deals with reporting requirements for animal shelters and for animals transported into NH. As originally presented, the bill would have required very detailed records to be kept on each transferred animal. It met with a great deal of opposition as that level of detail was felt to be unnecessary and burdensome by those in the industry. Over the summer, a subcommittee worked on the bill and got agreement by all interested parties that NH would use a standard grid sheet for reporting as is used in many other states. The amendment adds this to the law and also places the responsibility for the custody and storage of reports submitted to the state with the Department of Agriculture, Markets and Food as part of the license renewal process. Vote 6-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The committee amendment rewrites the bill in its entirety and now addresses animals going into and out of shelters. The second and third sections of the amendment also make clerical corrections to RSA 437:1 and 437:10. However, the committee amendment does not address the fact that the current law is so broad that a family which ends up with a pregnant animal, and subsequently a litter of dogs or cats, cannot sell them to good homes without breaking the law. The minority believes that if we are going to make changes to RSA 437, we should correct the overly broad definitions and write the statute so that it covers those in the business of raising and selling animals and does not prohibit the family who finds themselves with a pregnant animal, or who wants to breed their animal to have some additional pets.

Majority Amendment (2508h)

Amend the bill by replacing the title with the following:

AN ACT relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Record Keeping; Licensed Animal Shelters. Amend RSA 437 by inserting after section 8 the following new section:

437:8-a Record Keeping; Licensed Animal Shelters.

- I. Each licensee shall compile and keep on its premises a record of the total number of dogs and cats admitted, including animals in shelter and animals admitted but currently in foster care or at another offsite facility, in a reporting period specified with beginning and ending dates for the animal count. The total number shall be subdivided by dog and cat and further divided into the number of adults at time of intake and the number up to 5 months old at time of intake, with these numbers further divided into the following classifications:
- (a) The total number of live animals admitted, subdivided into the following categories: stray or at-large admitted through animal control or stated to be without an owner or free-roaming; relinquished or otherwise admitted by owner; owner-intended euthanasia, meaning the admission of an animal whose owner brought the animal to the shelter with the intent of requesting euthanasia; transferred from another shelter; transferred from out of state; large scale seizure support, or other purposes; and other intakes, including impounds for cruelty cases and protective custody, pets born while in care, and other types of admission not otherwise covered by these categories;
- (b) The subtotal of live outcomes for the animals, further subdivided into the following categories: final adoption, meaning permanently left the shelter's possession and not including animals placed in foster care or on overnight trial stays; stray or owner-relinquished animal returned to owner; transferred out of the shelter's possession to another entity; returned to field, meaning returning, after altering, to the stray capture location as free-roaming animals; and other live outcomes, such as barn cat programs;
- (c) The subtotal of other outcomes for the animals, further subdivided into the following categories: died in care while sheltered; lost in care, meaning the outcome is unknown, such as due to escape or to not being recorded and unknown; all euthanasia other than that performed as owner-intended euthanasia; and owner-intended euthanasia, meaning only those animals whose owners brought them to the shelter with the intent of using euthanasia services; and
 - (d) The total outcomes, combining the subtotals for live and other outcomes.
- II. For animals transported into New Hampshire for the purpose of sale or transfer, the following information shall be provided to the department of agriculture, markets, and food whether the originator source was a licensed animal shelter, or breeding facility:
- (a) The original source for each animal, to include state and city of origin, and name and license number of organization sending animal to New Hampshire.
- (b) The method of transport: the name and license number under RSA 437:3 of the person or organization which transported the animal to New Hampshire, and of the licensed organization that accepted the animal for further sale, adoption, or transfer.
- (c) For how long, and where, the animal was kept quarantined in New Hampshire prior to being offered for sale, adoption, or transfer, as required under RSA 437:10, V.
 - (d) If the animal was dead on arrival, the likely cause of death.
- III. Each licensee shall submit records, as described in this section, to the department of agriculture, markets, and food, annually as part of its license renewal application. The department shall store such records described in this section for a period of 3 years. The department shall make this information available to the public on its website, as soon as practicable upon receipt of such records.
 - 2 Technical Correction. Amend RSA 437:1 to read as follows:
- 437:1 License Required. No person, firm, corporation or other entity shall engage in the business of transferring with or without a fee or donation required, to the public, live animals or birds customarily used as household pets unless the premises on which they are housed, harbored or displayed for such purposes are duly licensed and inspected by the department of agriculture, markets, and food of the state of New Hampshire. This section shall also apply to commercial kennels and to any person, firm, corporation, or other entity engaged in the business of, including activity as a broker, transferring live animals or birds customarily used as household pets for transfer to the public, with or without a fee required, and whether or not a physical facility is owned by the licensee in New Hampshire when transfer to the final owner occurs within New Hampshire. These provisions shall not [effect] affect the provisions of RSA 437:7.

3 Technical Correction. Amend RSA 437:10, II to read as follows:

II. The original of the official health certificate accompanying the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection upon request. The public will be informed of [their] its right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where the dogs, cats, or ferrets are displayed. Upon transfer of the dog, cat, or ferret, this health certificate shall be updated by the licensee if any other medication or treatment has been given by a licensed veterinarian or the licensee to the dog, cat, or ferret and shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. The transferee may accept a dog, cat, or ferret that has a noncontagious illness that has caused it to fail its examination by a licensed veterinarian for an official health certificate under paragraph I; the transferee shall sign a waiver that indicates the transferee has knowledge of the dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires licensed animal transferors to keep certain records and submit copies of such records to the department of agriculture, markets and food.

This bill also makes technical corrections to the statutes regarding animal transfers. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 158 members having voted in the affirmative and 151 in the negative, the majority committee report was adopted and ordered to third reading.

SB 58, relative to the United States flag worn as a patch. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Mark Proulx for the Majority of Executive Departments and Administration. This bill prohibits the uniforms of all state and local law enforcement, fire and first responder personnel in New Hampshire from wearing a "reverse image" of the US flag on their uniforms. The "reverse image" flag patch was adopted by the US Army as a symbol of respect for the flag. The Army uniform guide requires a flag patch on the right shoulder sleeve of a uniform to be worn so that the star field faces forward giving "the effect of the flag flying in the breeze as the wearer moves forward." This is meant to ensure that the flag always appears to be advancing rather than retreating. Although the US Flag Code requires specific orientations for a flag in public display, it does not specify how it must be oriented when affixed to a military, fire, or police uniform. The committee is not aware of any analysis of the number of flag patches that would have to be replaced if this bill is adopted. Vote 8-3.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill simply sets a standard for the wearing of flags by state and municipal personnel. The minority of the committee finds the use of a backward American flag on military uniforms to be contrary to, and in violation of the US Flag Code, Title 4, Subsections 7, 8 and 10. Under these sections, the display of the flags is meticulously outlined and never allows for the symbol of our country to be displayed backward anywhere. Furthermore, we believe that in 2005 the Secretary of the Army overstepped his authority in ordering the display of a backward flag to be affixed to the US Army uniform. While adding a true representation of the American flag to a military uniform is allowed under the Flag Code, a backward flag is not. Under US Constitution, article 10 (States Rights), NH has the authority to make laws that state employees wear the proper American Flag on their uniform. This complies with state law since we adopted the US Flag Code, sections 1-10 as the state Flag Code in 2011 (RSA 3-E). Lastly, the state has the authority to set basic guidelines for uniforms that are worn by state and municipal employees. This bill does not impact the private citizens of the state in any manner and therefore the argument that this bill violates First Amendment rights is unfounded. Majority committee report adopted.

HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **INEXPEDIENT TO LEGISLATE.**

Rep. J. Tracy Emerick for Finance. This bill was intended to (a) replace funds for eligible and completed drinking water, wastewater and landfill closure projects under the state aid grant program that DES removed from their budget to meet the Governor's cuts in FY15 budget and (b) to provide funding for the 16/17 biennium. HB 1 included full funding for such projects for FY16 and FY17, plus a footnote was written on that line to prohibit the governor from raiding that line to pay for other programs, thus ensuring that towns would get their 2016 and 2017 allocation. The governor did not choose to budget replacement money for the FY15 cuts. However, those cuts did not eliminate funding; instead municipalities eligible for the grants remain on the list and are to receive the grants in the current FY16-FY17 budget period. When the governor cut the monies from FY15, it extended the life of the payments as opposed to reducing the amount owed. The committee recommends ITL for two reasons: it is unnecessary because the majority of the monies were budgeted in the passed version of HB 1, and if OTP it would require retroactive opening of the last budget to restore the monies cut from FY15. Because municipalities will eventually get all monies owed to them, the committee decided to support the governor's decision not to retroactively pay the FY15 monies. Vote 15-10.

Rep. Lynne Ober spoke in favor.

Rep. Buco spoke against and requested a roll call; sufficiently seconded.

YEAS 184 NAYS 130

YEAS - 184 BELKNAP

	B.	ELKNAP	
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Luther, Robert Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael
	C	ARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	C	HESHIRE	
Hunt, John	McConnell, James	Roberts, Kris	Tilton, Benjamin
		coos	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Darrow, Stephen Ingbretson, Paul	Gionet, Edmond Johnson, Eric	Hennessey, Erin Ladd, Rick	Hull, Robert Shackett, Jeffrey
	HILL	SBOROUGH	
Ammon, Keith Boehm, Ralph Coffey, James Estevez, Eric Gould, Linda Hinch, Richard Kurk, Neal McClarren, Donald Murphy, Keith Ohm, Bill Peterson, Ken Rouillard, Claire Smith, Gregory Takesian, Charlene	Balcom, John Burt, John Danielson, David Ferreira, Elizabeth Griffin, Barbara Hogan, Edith Lachance, Joseph McLean, Mark Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Souza, Kathleen Twombly, Timothy	Belanger, James Byron, Frank Eastman, Eric Flanagan, Jack Halstead, Carolyn Hopper, Gary LeBrun, Donald Moore, Josh Ober, Lynne Parison, James Proulx, Mark Scontsas, Lisa Straight, Phillip Ulery, Jordan	Biggie, Barbara Christie, Rick Edelblut, Frank Gagne, Larry Hansen, Peter Infantine, William Marston, Dick Murotake, David Ober, Russell Pellegrino, Anthony Rice, Kimberly Simmons, Tammy Sullivan, Victoria Wolf, Terry

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Horn, Werner
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian	Walsh Thomas	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Bush, Carol	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Fesh, Robert	Gannon, William
Gordon, Richard	Green, Dennis	Griffin, Mary	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Lundgren, David	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Osborne, Jason	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James	Sytek, John
Tasker, Kyle	Tilton, Rio	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	,
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan

Laware, Thomas Rollins, Skip

Schmidt, Andrew

NAYS - 130
CARROLL

Grenier, James

Smith, Steven

Buco, Thomas

CHESHIE	21

Ticehurst, Susan

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
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GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Sykes, George	Townsend, Charles	White, Andrew	3 ,

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HILL	SBOROUGH	
Beaulieu, Jane Cornell, Patricia Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangioudi, Latha	Brown, Pamela Cote, David Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan	Christensen, Chris Edwards, Elizabeth Goley, Jeffrey Harvey, Suzanne Leishman, Peter McCarthy, Peggy
O'Brien, Michael	Porter, Marjorie	Roberts, Carol
	Beaulieu, Jane Cornell, Patricia Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangipudi, Latha	HILLSBOROUGH Beaulieu, Jane Brown, Pamela Cornell, Patricia Cote, David Freitas, Mary Gidge, Kenneth Hansberry, Daniel Herbert, Christopher Mangipudi, Latha Manley, Jonathan

Cloutier, John

Rosenwald, Cindy Snow, Kendall Walsh, Robert	Sanborn, Laurie Soucy, Timothy Williams, Kermit	Shattuck, Gilman Sullivan, Daniel Woodbury, David	Shaw, Barbara Vann, Ivy
	3.4	EDDINA CIZ	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Cushing, Robert	Borden, David DiFranco, Debbie	Cahill, Michael Francese, Paula	Cali-Pitts, Jacqueline Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	Moody, Marcia	Pantelakos, Laura
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Spang, Judith	Sprague, Dale	Treleaven, Susan
Wall, Janet			

SULLIVAN

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia	Oxenham, Lee
and the committee rep	ort was adopted.
UP 500 reposing the	prohibition on the use of silencing devices for taking wildlife MA IORITY

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James Spillane for the Majority of Fish and Game and Marine Resources. This bill brings New Hampshire in line with the hunting laws in a majority of the states, as 37 states currently allow the use of suppressors when hunting. Maine has just joined the ranks of those allowing use. This bill will allow hunters to prevent irreparable hearing damage and cut down on noise complaints. Vote 7-5. Rep. Jonathan Manley for the Minority of Fish and Game and Marine Resources. Many groups are against this bill including the Department of Fish and Game, NH Timberland Owners Association, NH Guides Association, and many landowners. Those who favor it claim it would help protect hearing, but there are other devices that can adequately serve this function.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Manley spoke against and yielded to questions.

Rep. Burt spoke in favor and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

Converse, Larry

Oxenham, Lee

YEAS 184 NAYS 124

YEAS - 184

BELKNAP

Aldrich, Glen Howard, Jr., Raymond Sylvia, Michael	Dumais, Russell Hurt, George Tilton, Franklin	Fraser, Valerie LeBreche, Shari Vadney, Herbert	Gallagher, Brian Luther, Robert
		CARROLL	
Avellani, Lino McConkey, Mark	Chandler, Gene Umberger, Karen	Comeau, Ed Wright, Ted	McCarthy, Frank

CHESHIRE

McConnell, James Phillips, Larry Hunt, John

COOS

Fothergill, John
Theberge, Robert

GRAFTON

Darrow, Stephen
Ingbretson, Paul

Gionet, Edmond
Johnson, Eric
Ladd, Rick

Rideout, Leon

HILLSBOROUGH

Ammon, Keith Balcom, John Beaulieu, Jane Belanger, James Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Christie, Rick Coffey, James Danielson, David Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Flanagan, Jack Forest, Armand Gagne, Larry Gargasz, Carolyn Gidge, Kenneth Goley, Jeffrey Gorman, Mary Gould, Linda Griffin, Barbara Halstead, Carolyn Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Kurk, Neal Lachance, Joseph LeBrun, Donald Long, Patrick Marston, Dick McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry Parison, James Pellegrino, Anthony Peterson, Ken Proulx, Mark Rice, Kimberly Rouillard, Claire Rowe, Robert Sanborn, Laurie Scontsas, Lisa Shaw, Barbara Simmons, Tammy Smith, Gregory Snow, Kendall Soucy, Timothy Straight, Phillip Sullivan, Victoria Twombly, Timothy Ulery, Jordan Wolf, Terry Woodbury, David

MERRIMACK

Brewster, Michael French, Harold Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian

Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Bates, David Bush, Carol Cardon, G. Thomas Chase, Francis Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James DiFranco, Debbie Duarte, Joe Elliott, Robert Emerick, J. Tracy Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne. Robert Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Manning, John Matthews, Carolyn McKinney, Betsy McMahon, Charles Osborne, Jason Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sytek, John Tasker, Kyle Tilton, Rio Tucker, Pamela Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth Woitkun, Steven

STRAFFORD

Beaudoin, Steven Bickford, David Bixbv. Peter Cheney, Catherine DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Pitre, Joseph Sprague, Dale Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Converse, Larry Grenier, James Laware, Thomas Rollins, Skip Schmidt, Andrew Smith, Steven

NAVS - 124

BELKNAP

Flanders, Donald Spanos, Peter Fields, Dennis

CARROLL

Parker, Harold Nelson, Bill Buco. Thomas Cordelli, Glenn

CHESHIRE

Bordenet, John Ames, Richard Berch, Paul Abbott, Michael Johnsen, Gladys Ley, Douglas Mann, John Eaton, Daniel Pearson, William Robertson, Timothy Shepardson, Marjorie Parkhurst, Henry

Weber, Lucy Tatro, Bruce Tilton, Benjamin

COOS

Thomas, Yvonne Moynihan, Wayne Froburg, Alethea

GRAFTON

Brown, Chris Cooney, Mary Abel. Richard Almy, Susan Sykes, George Massimilla, Linda Ford, Susan Maes, Kevin

Townsend, Charles

Ticehurst, Susan

HILLSBOROUGH

Cornell, Patricia Brown, Pamela Christiansen, Lars Backus, Robert Edwards, Elizabeth Estevez, Eric Freitas, Mary Cote, David Heath, Mary Harvey, Suzanne Guerette, C. Lee Hansberry, Daniel Leishman, Peter Jack, Martin Infantine, William Herbert, Christopher O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard Shattuck, Gilman Roberts, Carol Pierce, David Porter, Marjorie Vann, Ivy Takesian, Charlene

Sullivan, Daniel Souza, Kathleen Williams, Kermit Walsh, Robert

MERRIMACK

Carson, Clyde Bradley, Paula Alicea, Caroletta Bartlett, Christy Frazer, June Doherty, David Ebel, Karen Deloge, Helen Karrick, David Kidder, David Henie, Paul Gile, Mary MacKay, James Moffett, Howard Long, Douglas Luneau, David Rogers, Katherine Ratzki, Mario Patten, Dick Myler, Mel Shurtleff, Stephen Turcotte, Alan Schuett, Dianne

Saunderson, George Wheeler, Deborah

Simpson, Alexis

ROCKINGHAM

Barnes, Arthur Berrien, Skip Allen, Mary Azarian, Gary Cali-Pitts, Jacqueline Cushing, Robert Borden, David Cahill, Michael Francese, Paula Gordon, Pamela Heffron, Frank Fesh. Robert Sherman, Thomas Lovejoy, Patricia Moody, Marcia Pantelakos, Laura

STRAFFORD

DiSesa, Len Cilley, Jacalyn Burton, Wayne Baber, William Schmidt, Peter Rollo, Deanna Horrigan, Timothy Kaen, Naida Wall, Janet

Spang, Judith **SULLIVAN**

Treleaven, Susan

Ward, Gerald

Irwin, Virginia Gagnon, Raymond Gottling, Suzanne Cloutier, John

Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

HB 505, relative to baiting for game birds and game animals by persons with a disability. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Douglas Long for the Majority of Fish and Game and Marine Resources. It was determined after many subcommittee work sessions and much discussion that the wording of the bill is insufficient and unclear. Specifically, the existing definition within the Fish and Game laws of "person with a disability" would be given too broad a meaning. Vote 10-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill attempts to close a loophole that discriminates against disabled people who are not in a wheelchair and do not have veteran status. An equal playing field in the baiting and hunting of deer for all disabled people is all the bill is seeking to accomplish.

Majority committee report adopted.

HB 518, relative to authority to establish fees for licenses issued by the fish and game department. INEXPEDIENT TO LEGISLATE.

Rep. James Spillane for Fish and Game and Marine Resources. This bill no longer has any purpose as its intended consequence, to authorize the Fish and Game Department to establish license and permit fees, has already been adopted into law through passage of HB 212 last session. Vote 7-5. Committee report adopted.

The House recessed at 11:50 a.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair) SPECIAL GUEST PRESENTATION

Mrs. Carly Fiorina, 2016 Presidential candidate, addressed the House.

MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of **HB 1474**, requiring the collection of data relative to firearm related deaths and injuries, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred HB 1474 to the Committee on Criminal Justice and Public Safety.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of **HB 1261**, relative to multiple indictments in criminal prosecutions, **HB 1287**, repealing a provision of the harassment statute, and **HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order, to the Committee on Judiciary.

Motion adopted.

The Speaker referred HB 1261, HB 1287 and HB 1448 to the Committee on Criminal Justice and Public Safety.

MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 634-FN-A**, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief, be made a Special Order as the next order of business. Motion adopted.

SPECIAL ORDER

HB 634-FN-A, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Bill Ohm for the Majority of Ways and Means. This bill creates a new tax on capital gains that applies to individuals. While individual exemptions are increased, the tax is expected to raise approximately \$90 million. New Hampshire has no income tax on wages, and the majority feels that

one effect of the bill is to extend an income tax on seniors, those who have built up a nest egg of stocks, bonds and CD's for retirement income. The committee did adopt an amendment that removed the application of the proposed tax to trusts but the majority is opposed to new taxes. Vote 12-7. Rep. Richard Ames for the Minority of Ways and Means. This bill modifies New Hampshire's existing tax on investment income. It does this by extending to capital gains the existing 5% tax on interest and dividends. With this modification, all forms of individual investment income, i.e., of income derived from the ownership of assets including interest, dividends and capital gains (e.g. stock trades), will be equally taxed. The bill also cuts taxes by increasing exemptions from the 5% tax: the individual exemption allowed in our current tax on investment income will go up from \$2,400 to \$5,000, the combined married couple exemption will go up from \$4,800 to \$10,000, and additional exemptions for the blind, disabled and elderly will go up from \$1,200 to \$2,500. The bill also includes provisions expanding the reach of the existing Low and Moderate Income Homeowners Property Tax Relief Program. With all of these changes, the fiscal note estimates New Hampshire will realize about \$90 million annually in net new revenue (after accounting for the increase in personal exemptions), collected primarily from relatively high income taxpayers. The capital gains loophole primarily benefits the wealthiest 1% of New Hampshire residents. These are taxpayers who already pay a federal capital gains tax, and by closing this loophole in New Hampshire, they can deduct the state tax off of their federal return and New Hampshire keeps more money in the state rather than sending it to the federal government. Because of the increased exemptions, because most current interest and dividends taxpayers do not receive substantial capital gains income, and because of the changes in the Low and Moderate Income Property Tax Relief Program, roughly 55,000 New Hampshire residents will pay less in taxes if the amended HB 634 becomes law. With the minority amendment, additional direct and indirect property taxpayer and local government tax and budget relief will come from the amended bill's allocation of \$75.2 million of the new revenue to enable the state to begin meeting its responsibilities under several core statutory state aid programs: local revenue sharing, catastrophic special education aid, school building aid, and local employer retirement cost sharing. The bill establishes a new capital gains reserve fund, using a rolling three-year historical average to constrain budgetary reliance on estimated capital gains revenue and establishing a prudential reserve fund system that will set aside excess amounts collected in unexpectedly high revenue years and make those amounts available to cover short-falls in unexpectedly bad revenue years. Responding to concerns expressed at public hearing, the minority amendment removes all provisions that would have extended the tax on interest, dividends and capital gains to irrevocable trusts.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Ames spoke against.

Rep. Ohm spoke in favor and requested a roll call; sufficiently seconded.

YEAS 197 NAYS 109

YEAS - 197 DET KNAD

	Bi	ELKNAP	
Aldrich, Glen Fraser, Valerie Luther, Robert Vadney, Herbert	Dumais, Russell Gallagher, Brian Spanos, Peter Varney, Peter	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Flanders, Donald Hurt, George Tilton, Franklin
	C	ARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Buco, Thomas McConkey, Mark Wright, Ted	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	Cl	HESHIRE	
Hunt, John	McConnell, James	Tilton, Benjamin	
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence Thomas, Yvonne	Richardson, Herbert	Rideout, Leon

GRAFTON

Darrow, Stephen Johnson, Eric Gionet, Edmond Ladd, Rick

Hennessey, Erin Massimilla, Linda Hull, Robert Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Belanger, James Byron, Frank Coffey, James Forest, Armand Gorman, Mary Hansen, Peter Infantine, William Marston, Dick Moore, Josh O'Brien, Michael Palmer, Barry Proulx, Mark Sanborn, Laurie Souza, Kathleen

Ammon, Keith Biggie, Barbara Christensen, Chris Danielson, David Gagne, Larry Gould, Linda Hinch, Richard Kurk, Neal McCarthy, Peggy Murotake, David Ober, Lynne Parison, James Rice, Kimberly Scontsas, Lisa Straight, Phillip Ulery, Jordan

Balcom, John Boehm, Ralph Christiansen, Lars Eastman, Eric Gargasz, Carolyn Griffin, Barbara Hogan, Edith Lachance, Joseph McClarren, Donald Murphy, Keith Ober, Russell Pellegrino, Anthony Rouillard, Claire Simmons, Tammy Sullivan, Victoria Wolf, Terry

Beaulieu, Jane
Burt, John
Christie, Rick
Ferreira, Elizabeth
Goley, Jeffrey
Halstead, Carolyn
Hopper, Gary
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Ohm, Bill
Peterson, Ken
Rowe, Robert
Smith, Gregory
Takesian, Charlene

MERRIMACK

Brewster, Michael Hoell, J.R. Long, Douglas McGuire, Dan Walsh, Thomas

Twombly, Timothy

Ebel, Karen Horn, Werner Marple, Richard Parent, Jason French, Harold Kotowski, Frank Martin, John Seaworth, Brian

Hess, David Kuch, Bill McGuire, Carol Turcotte, Alan

Baldasaro, Alfred

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Chase, Francis Dean-Bailey, Yvonne Elliott, Robert Gordon, Richard Harris, Jeffrey Kappler, Lawrence Manning, John Osborne, Jason Rice, Frederick Tilton, Rio Webb, James Allen, Mary Bates, David Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Green, Dennis Hodgdon, Bruce Katsakiores, Phyllis Matthews, Carolyn Peckham, Michele Schroadter, Adam Tucker, Pamela Welch, David Azarian, Gary Bush, Carol Christie, Andrew Devine, James Fesh, Robert Griffin, Mary Hoelzel, Kathleen Kolodziej, Walter McKinney, Betsy Potucek, John Spillane, James Vose, Michael Weyler, Kenneth

Cardon, G. Thomas
Cook, Allen
Duarte, Joe
Gannon, William
Guthrie, Joseph
Itse, Daniel
Lundgren, David
McMahon, Charles
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Ward, Joanne

STRAFFORD

Beaudoin, Steven DeLemus, Susan Hannon, Joseph Kaen, Naida Sprague, Dale Berube, Roger Graham, Robert Horrigan, Timothy Leeman, Don Turcotte, Leonard Bickford, David Gray, James Jones, Laura Mullen, John Wall, Janet Cheney, Catherine Groen, Warren Kaczynski, Jr., Thomas Pitre, Joseph Wuelper, Kurt

Woitkun, Steven

SULLIVAN
Laware, Thomas Rollins, S

Rollins, Skip Smith, Steven

NAYS - 109 CARROLL

Ticehurst, Susan

Grenier, James

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

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Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Maes, Kevin	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Brown, Pamela	Cohen, Alan	Cornell, Patricia
Cote, David	Edwards, Elizabeth	Estevez, Eric	Freitas, Mary
Gidge, Kenneth	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Pierce, David	Porter, Marjorie	Roberts, Carol	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	Gile, Mary
Henle, Paul	Karrick, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Introne, Robert	Lovejoy, Patricia	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Rollo, Deanna	Schmidt, Peter	Spang, Judith

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted.

Reps. Introne and Estevez voted Nay and intended to vote Yea.

INTRODUCTION OF SPECIAL GUESTS

The Honorable Jose Oliva, Ray Rodrigues, Richard Corcoran, Carlos Trujillo, Joe Felix Diaz and Slayter Bayliss, State Representatives from Florida, guests of the House.

REGULAR CALENDAR CONT'D

CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. Paul Berch for the Majority of Judiciary. CACR 5 proposes a major change as to who can take a matter to court, namely the standing to sue. It would allow any resident taxpayer to challenge any and all revenue bills passed, or intended to pass into law by our state, county and municipalities, whether or not the person suing is affected by the tax imposed. In common language, CACR 5

would change the requirement that the person bringing the suit "have skin in the game." In 2010 and 2014, the New Hampshire Supreme Court clarified that the State Constitution requires this concept of standing. CACR 5 seeks to amend the New Hampshire Constitution to allow a taxpayer to sue a governmental body for a declaratory judgment (a type of court action that challenges the validity of the law) without any claim of personal harm beyond his or her status as a taxpayer. This would allow a court to judge the legality of each and every revenue bill and even to impose injunctive relief and stop a revenue expenditure until the suit makes its way through the court system. The delay could be months or years. Members of the Judiciary Committee understood and were sympathetic regarding the issues involved in requiring traditional standing and looked at alternatives in considerable detail. Ultimately, the committee found that CACR 5 suffered from both conceptual and practical flaws. CACR 5 would allow the courts to take on an improper supervisory role over much of the activities of the co-equal branches of government and by changing the fundamental role of the Judicial Branch in our balanced system of government, CACR 5 would decrease the authority of the Legislative and Executive Branches, while greatly increasing the power of the Judicial Branch. The committee also found many practical problems with this proposed legislation - from definition of terms to lack of clarity of who is covered by the amendment; it would allow people who have no relation to an action to intervene or possibly appeal actions already settled by the parties; it could result in increases in costs to citizens and governmental bodies as well as delays in resolution of issues between citizens and their government; it could result in an increase in "drive-by" litigation, some potentially harassing or vindictive in nature. A significant increase in the caseload of the Judicial Branch could reasonably be expected. For the above reasons, the bipartisan majority of the committee cannot recommend passage of CACR 5. Vote 16-2.

Rep. Kurt Wuelper for the Minority of Judiciary. CACR 5 intends to restore the ability of citizens to have a court declare whether government actions are unlawful by giving them "standing" (even though the party taking action has not shown to be damaged) which the New Hampshire Supreme Court has denied them for the last several years. These "taxpayer suits" have been in our courts at least since 1863. The New Hampshire Supreme Court in 1952 ruled "it is plain that every taxpayer of a town has a vital interest in and a right to the preservation of an orderly and lawful government regardless of whether his purse is immediately touched," and again in 1974 ruled "it is well settled in this state that plaintiffs, as taxpayers, have standing to seek redress for the unlawful acts of their public officials." But, in 2010, that court restricted that "well settled" right to taxpayers whose "rights are impaired or prejudiced," excluding anyone who has not suffered a direct financial loss. To correct that misreading of RSA 491:22, in 2012, the General Court added language specifically restoring the right to sue if taxpayers were not personally injured. But, in 2014, the Supreme Court declared that restoration unconstitutional, prompting introduction of CACR 5. The minority believes that citizens should have the right to a "lawful and orderly" government and that access to the courts without being damaged should be a primary means of constraining government to lawful actions. In addition, any unlawful government action violates that right, so CACR 5 empowers taxpayers to sue over "conduct in violation of law, ordinance or constitutional provision," extending the "lawful and orderly" requirement to every level of government in New Hampshire. The majority fears the courts would be deluged with lawsuits under CACR 5 delaying the implementation of a law or municipal ordinance and giving the Judicial Branch excessive power over the other two branches, but the minority believes history has shown otherwise. CACR 5 continues the General Court's attempt to restore the right New Hampshire citizens had between 1863 and 2010 to sue for lawful government and provides important protection for all New Hampshire taxpayers.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government, be laid on the table. Motion adopted.

HB 636-FN, relative to forfeiture of property. MAJORITY: OUGHT TO PASS WITH AMEND-MENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Paul Berch for the Majority of Judiciary. Forfeiture, under federal and state law, is a legal tool that allows law enforcement to seize contraband and property on suspicion that it is involved in criminal activity and which seizure is subject to final approval by the courts. The purpose of this legislation is to modernize and clarify New Hampshire forfeiture laws. This bill does so in four ways.

First, unless the person is unavailable, such as due to death or incapacity, a criminal conviction or agreement of the parties is required for forfeiture to occur. Second, the burden of proof on the state is clarified to be "clear and convincing" evidence. Third, the rights of an innocent owner to return of property and the procedure to be used is set forth. Finally, disposition of forfeited property is to the Department of Administrative Services and forfeited currency is to the General Fund, after payment of liens and any court-ordered non-personnel expenses. The committee discussed at some length the question of whether forfeited funds should be kept in part by the local department which handled the police work as well as the Attorney General's Office or whether the fund should more properly be part of the state treasury. Although the sums are very small (\$50-60,000 overall and less than half of that to all local police departments combined), it was felt that it was important for the public to perceive and believe that the police solely act on the needs of law enforcement and not for purposes of their own revenue enhancement. By having any forfeited funds go to the General Fund, the question of conflict of interest is eliminated. Vote 14-5.

Rep. Timothy Horrigan for the Minority of Judiciary. Under existing law, the proceeds from civil forfeiture are placed in a Drug Forfeiture Fund, pursuant to RSA 318-b:17-c. The minority concluded that it would be unwise to eliminate this fund, which helps local agencies fight the opiod epidemic. Each of our communities has unique needs to combat drug addiction. The dedicated drug fund would allow the best use of the funds in meeting the needs specific community needs.

Majority Amendment (2507h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

- I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:
 - (a) Property the person derived from the commission of the crime;
 - (b) Property directly traceable to property derived from the commission of the crime; and
 - (c) Instrumentalities the person used in the commission of the crime.
- II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.
- III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.
- IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.
- V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.
- 2 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:
- 617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This provision shall not apply to property seized as evidence in a pending criminal investigation or prosecution.
- 3 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:
 - 617:11 Disposition of Property and Proceeds.
- I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.
- II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.

- III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable non-personnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.
- IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the state's general fund.
- 4 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:
- (e) The department of justice shall, within 60 days of the seizure, [either] file a petition in the superior court having jurisdiction under this section for seek administrative forfeiture pursuant to RSA 318-B:17-d]. If no such petition is filed [or administrative procedure initiated] within 60 days, the items or property interest seized shall be released or returned to the owners.

5 Forfeiture of Items Used in Connection with Drug Offense; Reference to Drug Forfeiture Fund Removed. Amend RSA 318-B:17-b, II-a(e) to read as follows:

- (e) In the case of moneys, file a motion for transfer of evidence under RSA 595-A:6. Upon the court's granting of the motion the moneys shall be immediately forwarded to an interest-bearing seized asset escrow account to be administered by the attorney general. Upon resolution of the forfeiture proceeding the moneys deposited shall be transferred to the [drug forfeiture] general fund or returned to the owners thereof as directed by the court. Unless otherwise ordered by a court in a specific case, interest on all moneys deposited in the seized asset escrow account shall be deposited annually into the [drug forfeiture fund established under RSA 318-B:17-e] general fund.
 - 6 Disposition of Funds Obtained by the Attorney General. Amend RSA 7:6-e, III to read as follows:
- III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, [drug forfeiture funds as provided in RSA 318-B:17-b through RSA 318-B:17-d.] fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

7 Repeal. The following are repealed:

- I. RSA 318-B:17-b, V, relative to the distribution of proceeds from items forfeited from drug offenses.
 - II. RSA 318-B:17-c, establishing the drug forfeiture fund.
- III. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses.
 - IV. RSA 6:12, I(b)(19), relative to the drug forfeiture fund.
 - 8 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime. The bill also requires the state to deposit proceeds from forfeited property in the general fund. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (3050h).

Floor Amendment (3050h)

Amend RSA 617:11, IV as inserted by section 3 of the bill by replacing it with the following:

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the drug forfeiture fund established in RSA 318-B:17-c. Amend the bill by replacing all after section 4 with the following:

5 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill limits forfeiture to cases in which the state has obtained a conviction and found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.

Rep. Horrigan spoke in favor.

Rep. Sylvia spoke against.

Rep. Dan McGuire spoke against and yielded to questions.

On a division vote, with 153 members having voted in the affirmative and 156 in the negative, floor amendment (3050h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Majority committee report adopted and referred to the Committee on Finance.

SPECIAL ORDER

HB 475, prohibiting the state from engaging in acts of civil forfeiture. OUGHT TO PASS WITH AMENDMENT.

Rep. J.R. Hoell for Executive Departments and Administration. Civil forfeiture allows police to seize — and then keep or sell — any property they allege is involved in a crime. Owners need not ever be arrested or convicted of a crime for their cash, cars, or even real estate to be taken away permanently by the government. The intent of the civil forfeiture laws was to cripple large-scale criminal enterprises by diverting their resources and ensuring that criminals do not profit from their crimes. Unfortunately, this authority has been abused and has left citizens with legal costs to recover their property when they have done nothing wrong. The initial language of the bill required all public servants who engage in the act of civil forfeiture to be punished and lose their jobs. The committee thought the drafting was overly broad and unenforceable. Furthermore, last spring the ED&A Committee retained the bill with the impression that the other civil asset forfeiture bill filed in 2015 (HB 636) would be going forward. Unfortunately, both HB 475 and HB 636 were retained and nothing was accomplished this past year to correct the issues that we heard about in committee. A subcommittee was formed to investigate the issues associated with civil forfeiture and requests were made of the Attorney General to document what guidelines were being used within the state. The Attorney General's office did not provide this information to the subcommittee. After further work over the summer and fall, the House Judiciary Committee has given a positive report to HB 636. To ensure that the issue of civil asset forfeiture is properly addressed and that some changes to the statutes are made, the committee decided to recommend amending the bill to create a legislative study committee. The committee thought it wise to keep the bill alive in case HB 636 stalled for any reason. Vote 11-0.

Amendment (2517h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study civil forfeiture.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study civil forfeiture.
- 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) Three members of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
- 3 Duties. The committee shall study the civil forfeiture statutes in New Hampshire and evaluate the impact on the citizens of our state.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.
- 5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study civil forfeiture in New Hampshire.

MOTION TO LAY ON THE TABLE

Rep. Andrew Christie moved that **HB 475**, prohibiting the state from engaging in acts of civil forfeiture, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

SB 203-FN, relative to review of eligibility for workers' compensation. OUGHT TO PASS WITH AMENDMENT.

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. The goal of the original bill and the impact it would have on a small number of injured workers with very unique situations was understood by the Labor Committee. However, it was felt that the bill would have had too broad of a negative impact on the ability of insurance carriers to close indemnity claims after 4 years and instead carriers would have to continually re-open cases. After hearing extensive testimony, the bipartisan committee amendment changes the bill to prospectively address cases where medical treatment is purposely postponed for the medical benefit of the injured worker and allows the injured worker to appeal claims for indemnity. A floor amendment will be offered to address the effective date. Vote 14-0.

Amendment (2543h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Workers' Compensation; Review of Eligibility for Compensation. Amend RSA 281-A:48 by inserting after paragraph I the following new paragraph:

I-a. Any party at interest with regard to an injury occurring after January 1, 2016, where medical treatment for that injury is purposefully and intentionally postponed for medical reasons beyond the fourth anniversary of the date of denial or the last payment of compensation, may petition the commissioner to review such denial or award of compensation made pursuant to RSA 281-A:40 by filing a petition with the commissioner no later than 180 days after the date of the postponed treatment. A written acknowledgment by the employee and notification to the workers' compensation carrier shall be included in the worker's medical record including the medical reason for postponing the medical procedure. Any award or denial of indemnity payments made under this paragraph shall not extend the time frame under paragraph I.

AMENDED ANALYSIS

This bill allows an injured worker whose treatment is purposely postponed for medical treatment beyond the fourth anniversary of the date of denial or last payment of compensation to petition the commissioner of labor, within a certain time frame, to review such denial or award of compensation. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Infantine offered floor amendment (2570h).

Amendment (2570h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect 90 days after its passage.

Rep. Infantine spoke in favor.

Floor amendment (2570h) adopted.

Committee report adopted and ordered to third reading.

SB 238-FN, relative to the workers' compensation appeals board. OUGHT TO PASS.

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. Both the House (HB 521) and Senate introduced nearly identical versions of this bill. After much internal discussion and minor amendments by both the House and Senate we believe the Senate version of the bill is appropriate. Vote 14-0.

Rep. Infantine spoke in favor.

Committee report adopted and referred to the Committee on Finance.

SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court. MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.

Rep. Richard Hinch for the Majority of Legislative Administration. This bill establishes a legislative committee to review the impact of the Citizens United decision and constitutional amendments relating to this decision that are currently pending in Congress. As written, the committee is required to file a report on November 1, 2015, which is just over two weeks after the date of the executive session. The majority of the committee believed that by sending this bill to Interim Study, the issue of whether a study committee remains necessary can and will be debated, and recommendations for future legislation can be filed based on those findings, if necessary. Vote 7-3.

Rep. Lucy Weber for the Minority of Legislative Administration. SB 136, in its current form, simply establishes a four member, bipartisan committee to review all constitutional amendments pending in Congress on the subject of the Citizens United decision. The review committee would then communicate its recommendations, if any, for further action to both the NH legislature and the NH congressional delegation. Members of the minority are of the opinion that further study of the language of the bill, as opposed to the study of the actual issue, is unnecessary, unproductive and a waste of time and resources. It is clear that NH citizens want the issue of campaign financing to be addressed, preferably sooner rather than later. Putting any action off for another election cycle simply fails to address the problem. The floor amendment simply extends the time for the committee to report, adding an interim report by June 1, 2016 and a final report by November 1, 2016.

The question being adoption of the majority committee report of Refer for Interim Study.

Reps. Weber and Elliott spoke against.

Rep. Hinch spoke in favor.

Rep. Ford requested a roll call; sufficiently seconded.

Proulx, Mark

Vann, Ivy

Sanborn, Laurie

Souza, Kathleen

Pierce, David

Rowe, Robert

Smith, Gregory

Ulery, Jordan

YEAS 152 NAYS 154

YEAS - 152

	В	ELKNAP	
Aldrich, Glen Howard, Jr., Raymond Sylvia, Michael	Dumais, Russell Hurt, George Tilton, Franklin	Fields, Dennis Luther, Robert Vadney, Herbert	Fraser, Valerie Spanos, Peter
	C	ARROLL	
Avellani, Lino McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Glenn Parker, Harold	McCarthy, Frank Ticehurst, Susan
	CI	HESHIRE	
Bordenet, John	Hunt, John	coos	
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John
	G	RAFTON	
Darrow, Stephen Shackett, Jeffrey	Gionet, Edmond	Johnson, Eric	Ladd, Rick
,	HILL	SBOROUGH	
Ammon, Keith Boehm, Ralph Christie, Rick Ferreira, Elizabeth	Balcom, John Burt, John Coffey, James Gagne, Larry	Belanger, James Byron, Frank Danielson, David Gargasz, Carolyn	Biggie, Barbara Christensen, Chris Eastman, Eric Gould, Linda
Griffin, Barbara Hogan, Edith Marston, Dick Moore, Josh	Halstead, Carolyn Kurk, Neal McCarthy, Peggy Murphy, Keith	Hansen, Peter Lachance, Joseph McClarren, Donald Notter, Jeanine	Hinch, Richard LeBrun, Donald McLean, Mark Ober, Lynne
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony

Rice, Kimberly

Scontsas, Lisa Sullivan, Victoria

Wolf, Terry

Rouillard, Claire

Simmons, Tammy

Twombly, Timothy

MERRIMACK

French, Harold Hess, David Horn, Werner Kotowski, Frank Kuch, Bill Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Allen, Mary Barnes, Arthur Bates, David Bush, Carol Chase, Francis Christie, Andrew Dean-Bailey, Yvonne Devine, James Duarte, Joe Emerick, J. Tracy Gannon, William Griffin, Mary Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Kappier, Lawrence Introne, Robert Itse. Daniel Kolodziej, Walter Lundgren, David Matthews, Carolyn McKinney, Betsy McMahon, Charles Osborne, Jason Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Tasker, Kyle Tilton, Rio Tucker, Pamela Vose, Michael Ward, Joanne Welch, David Webb, James Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Graham, Robert
Gray, James Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas
Leeman, Don Mullen, John Pitre, Joseph Sprague, Dale
Turcotte, Leonard Whitehouse, Joshua Wuelper, Kurt

SULLIVAN

Laware, Thomas Smith, Steven

NAYS - 154 BELKNAP

Flanders, Donald Gallagher, Brian Varney, Peter

CARROLL

Buco, Thomas

Woitkun, Steven

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Eaton, Daniel
Johnsen, Gladys Ley, Douglas Mann, John McConnell, James
Parkhurst, Henry Pearson, William Phillips, Larry Robertson, Timothy
Shepardson, Marjorie Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Brown, Chris Cooney, Mary
Ford, Susan Hennessey, Erin Hull, Robert Maes, Kevin
Massimilla, Linda Nordgren, Sharon Sykes, George Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher Backus, Robert Beaulieu, Jane Brown, Pamela Christiansen, Lars Cohen, Alan Comell. Patricia Cote, David Edwards, Elizabeth Estevez, Eric Forest, Armand Freitas, Mary Gidge, Kenneth Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Infantine, William Jack, Martin Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard Murotake, David O'Brien, Michael Peterson, Ken Porter, Marjorie Roberts, Carol

1.0	TIOUSE SOURIME SANOART 7, 2010		
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Straight, Phillip	Sullivan, Daniel	Takesian, Charlene
Walsh, Robert	Williams, Kermit	Woodbury, David	
	ME	CRRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	Gile, Mary	Henle, Paul	Hoell, J.R.
Karrick, David	Kidder, David	Long, Douglas	Luneau, David
MacKay, James	Marple, Richard	Moffett, Howard	Myler, Mel
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah
	ROC	CKINGHAM	
Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cook, Allen	Cushing, Robert
DiFranco, Debbie	Elliott, Robert	Fesh, Robert	Francese, Paula
Gordon, Pamela	Gordon, Richard	Green, Dennis	Guthrie, Joseph
Heffron, Frank	Katsakiores, Phyllis	Lovejoy, Patricia	Manning, John
Moody, Marcia	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			
	ST	RAFFORD	
Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Wall, Janet	
	S	ULLIVAN	
- · · · · · · ·			0 441 0

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Oxenham, Lee Rollins, Skip

and the majority committee report failed.

Aldrich Glen

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be laid on the table.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 152 NAYS 157

YEAS - 152 BELKNAP

Fields, Dennis

Flanders, Donald

Fraser, Valerie Spanos, Peter	Howard, Jr., Raymond Sylvia, Michael	Hurt, George Tilton, Franklin	Luther, Robert Vadney, Herbert
	CA	ARROLL	
Avellani, Lino Nelson, Bill	Cordelli, Glenn Umberger, Karen	McCarthy, Frank Wright, Ted	McConkey, Mark
	CF	IESHIRE	
Bordenet, John	Hunt, John	COOS	

Richardson, Herbert Rideout, Leon Tholl, John

Dumais Russell

GRAFTON

Gionet, Edmond Johnson, Eric Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Christie, Rick
Ferreira, Elizabeth
Griffin, Barbara
Hogan, Edith
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Palmer, Barry
Proulx, Mark
Sanborn, Laurie
Souza, Kathleen
Ulery, Jordan

Balcom, John
Burt, John
Danielson, David
Gagne, Larry
Halstead, Carolyn
Infantine, William
Marston, Dick
Moore, Josh
Ober, Lynne
Parison, James
Rice, Kimberly
Scontsas, Lisa
Straight, Phillip
Wolf, Terry

Belanger, James Byron, Frank Eastman, Eric Gargasz, Carolyn Hansen, Peter Kurk, Neal McCarthy, Peggy Murotake, David Ober, Russell Pellegrino, Anthony Rouillard, Claire Simmons, Tammy Sullivan, Victoria Biggie, Barbara Christensen, Chris Edelblut, Frank Gould, Linda Hinch, Richard Lachance, Joseph McClarren, Donald Murphy, Keith Ohm, Bill Pierce, David Rowe, Robert Smith, Gregory Twombly, Timothy

MERRIMACK

Brewster, Michael Horn, Werner Martin, John Walsh, Thomas French, Harold Kotowski, Frank McGuire, Carol Hess, David Kuch, Bill McGuire, Dan Hoell, J.R. Long, Douglas Parent, Jason

ROCKINGHAM

Abrami, Patrick
Bates, David
Dean-Bailey, Yvonne
Gannon, William
Hodgdon, Bruce
Kolodziej, Walter
McKinney, Betsy
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Ward, Joanne
Woitkun, Steven

Allen, Mary Bush, Carol Devine, James Green, Dennis Hoelzel, Kathleen Lundgren, David McMahon, Charles Rice, Frederick Tilton, Rio Webb, James Baldasaro, Alfred Chase, Francis Duarte, Joe Griffin, Mary Introne, Robert Manning, John Osborne, Jason Schroadter, Adam Tucker, Pamela Welch, David

Barnes, Arthur Christie, Andrew Emerick, J. Tracy Harris, Jeffrey Kappler, Lawrence Matthews, Carolyn Potucek, John Spillane, James Vose, Michael Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Sprague, Dale Cheney, Catherine Groen, Warren Leeman, Don Turcotte, Leonard DeLemus, Susan Hannon, Joseph Mullen, John Whitehouse, Joshua Graham, Robert Jones, Laura Pitre, Joseph

SULLIVAN

Laware, Thomas

Smith, Steven

NAYS - 157 BELKNAP

Gallagher, Brian

Varney, Peter

CARROLL

Buco, Thomas

Comeau, Ed

Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Ames, Richard Ley, Douglas Pearson, William Tatro, Bruce Berch, Paul Mann, John Phillips, Larry Tilton, Benjamin Eaton, Daniel McConnell, James Robertson, Timothy Weber, Lucy

COOS

Fothergill, John Moynihan, Wayne

Rappaport, Laurence

Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hull, Robert
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Sykes, George	Townsend, Charles	White Andrew	•

HILLSBOROUGH

Adams, Christopher	Backus, Robert	Beaulieu, Jane	Brown, Pamela
Christiansen, Lars	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Edwards, Elizabeth	Estevez, Eric	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Peterson, Ken	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David	•	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Luneau, David	MacKay, James	Marple, Richard	Moffett, Howard
Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cook, Allen	Cushing, Robert
DiFranco, Debbie	Elliott, Robert	Fesh, Robert	Francese, Paula
Gordon, Pamela	Gordon, Richard	Guthrie, Joseph	Heffron, Frank
Itse, Daniel	Katsakiores, Phyllis	Lovejoy, Patricia	Moody, Marcia
Pantelakos, Laura	Peckham, Michele	Sherman, Thomas	Simpson, Alexis

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Spang, Judith
Treleaven Susan	Wall Janet	Wuelner Kurt	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip
1.1 .1 0.1 1			

and the motion failed.

Ward, Gerald

Rep. Weber moved the minority committee report of Ought to Pass and offered floor amendment (2477h).

Floor Amendment (2477h)

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall submit an initial report of its findings and any recommendations for proposed legislation or resolution on or before June 1, 2016 and a final report of its findings and any recommendations for proposed legislation or resolution on or before November 1, 2016 to the New Hampshire congressional delegation, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library. Rep. Weber spoke in favor.

On a division vote, with 178 members having voted in the affirmative and 130 in the negative, floor amendment (2477h) was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 156 NAYS 152

YEAS - 156 BELKNAP

Gallagher, Brian Hurt, George Varney, Peter

CARROLL

Buco, Thomas Comeau, Ed Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John McConnell, James Parkhurst, Henry Pearson, William Phillips, Larry Robertson, Timothy Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Moynihan, Wayne Rappaport, Laurence Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Brown, Chris Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Erin Hull, Robert Maes, Kevin Massimilla, Linda Nordgren, Sharon Sykes, George

Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Brown, Pamela Christiansen, Lars Coffey, James Cohen, Alan Cornell, Patricia Cote. David Edwards, Elizabeth Estevez, Eric Forest, Armand Freitas, Mary Gidge, Kenneth Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Jack, Martin Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael Peterson, Ken Porter, Marjorie Roberts, Carol Rosenwald, Cindy Rowe, Robert Shattuck, Gilman Shaw, Barbara Snow, Kendall Soucy, Timothy Sullivan, Daniel Takesian, Charlene Vann, Ivy Walsh, Robert

Williams, Kermit Woodbury, David

Simpson, Alexis

MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June Gile, Mary Henle, Paul Karrick, David Kidder, David Luneau, David MacKay, James Moffett, Howard Myler, Mel Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Azarian, Gary Berrien, Skip Borden, David Bush, Carol Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cook, Allen Cushing, Robert DiFranco, Debbie Duarte, Joe Elliott, Robert Fesh. Robert Francese, Paula Gordon, Pamela Gordon, Richard Guthrie, Joseph Heffron, Frank Itse. Daniel Katsakiores, Phyllis Lovejoy, Patricia Moody, Marcia Pantelakos, Laura Sherman, Thomas

Ward, Gerald

	STR	RAFFORD	
Baber, William Burton, Wayne Kaen, Naida Treleaven, Susan	Berube, Roger Cilley, Jacalyn Rollo, Deanna Wall, Janet	Bickford, David DiSesa, Len Schmidt, Peter Wuelper, Kurt	Bixby, Peter Horrigan, Timothy Spang, Judith
	SU	LLIVAN	
Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia	Gagnon, Raymond Laware, Thomas	Gottling, Suzanne Oxenham, Lee
		YS - 152	
	BH	ELKNAP	
Aldrich, Glen Fraser, Valerie Sylvia, Michael	Dumais, Russell Howard, Jr., Raymond Tilton, Franklin	Fields, Dennis Luther, Robert Vadney, Herbert	Flanders, Donald Spanos, Peter
	CA	ARROLL	
Avellani, Lino Nelson, Bill	Cordelli, Glenn Parker, Harold	McCarthy, Frank Umberger, Karen	McConkey, Mark Wright, Ted
	CH	IESHIRE	
Bordenet, John	Hunt, John		
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	GI	RAFTON	
Gionet, Edmond	Johnson, Eric	Ladd, Rick	Shackett, Jeffrey
	HILLS	SBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris Edelblut, Frank Gould, Linda Hinch, Richard Lachance, Joseph McClarren, Donald Murphy, Keith Ohm, Bill Pierce, David Sanborn, Laurie Souza, Kathleen Ulery, Jordan	Ammon, Keith Boehm, Ralph Christie, Rick Ferreira, Elizabeth Griffin, Barbara Hogan, Edith LeBrun, Donald McLean, Mark Notter, Jeanine Palmer, Barry Proulx, Mark Scontsas, Lisa Straight, Phillip Wolf, Terry	Balcom, John Burt, John Danielson, David Gagne, Larry Halstead, Carolyn Infantine, William Marston, Dick Moore, Josh Ober, Lynne Parison, James Rice, Kimberly Simmons, Tammy Sullivan, Victoria	Belanger, James Byron, Frank Eastman, Eric Gargasz, Carolyn Hansen, Peter Kurk, Neal McCarthy, Peggy Murotake, David Ober, Russell Pellegrino, Anthony Rouillard, Claire Smith, Gregory Twombly, Timothy
	ME	RRIMACK	
Brewster, Michael Horn, Werner Marple, Richard Parent, Jason	French, Harold Kotowski, Frank Martin, John Seaworth, Brian	Hess, David Kuch, Bill McGuire, Carol Walsh, Thomas	Hoell, J.R. Long, Douglas McGuire, Dan

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred
Bates, David	Chase, Francis	Christie, Andrew
Devine, James	Emerick, J. Tracy	Gannon, William
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce

Barnes, Arthur Dean-Bailey, Yvonne Green, Dennis Hoelzel, Kathleen

Introne, Robert	Kappler, Lawrence	Kolodziej, Walter	Lundgren, David
Manning, John	Matthews, Carolyn	McKinney, Betsy	McMahon, Charles
Osborne, Jason	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Tasker, Kyle
Tilton, Rio	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD
Beaudoin, Steven Cheney, Catherine DeLemus,

 Beaudoin, Steven
 Cheney, Catherine
 DeLemus, Susan
 Graham, Robert

 Gray, James
 Groen, Warren
 Hannon, Joseph
 Jones, Laura

 Kaczynski, Jr., Thomas
 Leeman, Don
 Mullen, John
 Sprague, Dale

 Turcotte, Leonard
 Whitehouse, Joshua

SULLIVAN

Smith, Steven

and the minority committee report was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Shurtleff moved that the House reconsider it action whereby, on a roll call vote of 156-152, the House adopted the minority committee report of Ought to Pass with Amendment on SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.

Rep. Shurtleff spoke against.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 160 NAYS 149

YEAS - 160 BELKNAP

Aldrich, Glen	Dumais, Russell	Flanders, Donald	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Umberger, Karen
Wright, Ted			

CHESHIRE

Hunt, John

COOS

Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Gionet, Edmond Ingbretson, Paul Johnson, Eric Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Ferreira, Elizabeth	Gagne, Larry
Gargasz, Carolyn	Gould, Linda	Griffin, Barbara	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick

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McCarthy, Peggy Murotake, David Ober, Russell Pellegrino, Anthony Rouillard, Claire Simmons, Tarmny Sullivan, Victoria	McClarren, Donald Murphy, Keith Ohm, Bill Pierce, David Rowe, Robert Smith, Gregory Twombly, Timothy MERF French, Harold	McLean, Mark Notter, Jeanine Palmer, Barry Proulx, Mark Sanborn, Laurie Souza, Kathleen Ulery, Jordan RIMACK Hess, David	Moore, Josh Ober, Lynne Parison, James Rice, Kimberly Scontsas, Lisa Straight, Phillip Wolf, Terry
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian	Walsh, Thomas	
	ROCK	INGHAM	
Abrami, Patrick Bates, David Cook, Allen Emerick, J. Tracy Griffin, Mary	Allen, Mary Bush, Carol Dean-Bailey, Yvonne Fesh, Robert Harris, Jeffrey	Baldasaro, Alfred Chase, Francis Devine, James Gannon, William Hodgdon, Bruce	Barnes, Arthur Christie, Andrew DiFranco, Debbie Green, Dennis Hoelzel, Kathleen
Introne, Robert	Kappler, Lawrence	Kolodziej, Walter	Lundgren, David
Matthews, Carolyn	McMahon, Charles	Osborne, Jason	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine		Schroadter, Adam
Spillane, James	Tasker, Kyle	Tilton, Rio Webb, James	Tucker, Pamela Welch, David
Vose, Michael Weyler, Kenneth	Ward, Joanne Woitkun, Steven	webb, James	Welch, David
Weyler, Nermeur	·		
		AFFORD	
Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Sprague, Dale
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	
	SUL	LIVAN	
Laware, Thomas	Smith, Steven		
	NAY	S - 149	
	BEL	KNAP	
Fields, Dennis	Gallagher, Brian		
,		RROLL	
Buco, Thomas	Ticehurst, Susan	KOLL	
buco, momas	•	CHIDE	
		SHIRE	Decide and John
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas Pearson, William	Mann, John
McConnell, James	Parkhurst, Henry Shepardson, Marjorie	Tatro, Bruce	Phillips, Larry Tilton, Benjamin
Robertson, Timothy Weber, Lucy	Sheparuson, marjone	rallo, bluce	rikon, benjamin
TTODGI, LUCY	C	oos	
Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Thomas, Yvonne
			,
	GRA	AFTON	

Brown, Chris

Hennessey, Erin

Nordgren, Sharon

Almy, Susan

Ford, Susan

Massimilla, Linda

White, Andrew

Abel, Richard

Maes, Kevin

Darrow, Stephen

Townsend, Charles

Cooney, Mary

Sykes, George

Hull, Robert

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Edwards, Elizabeth
Estevez, Eric	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	Peterson, Ken	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mei
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Duarte, Joe
Elliott, Robert	Francese, Paula	Gordon, Pamela	Gordon, Richard
Guthrie, Joseph	Heffron, Frank	Itse, Daniel	Katsakiores, Phyllis
Lovejoy, Patricia	Manning, John	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Spang, Judith
Treleaven, Susan	Wall, Janet		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip
and the motion was	adopted.		

MOTION TO LAY ON THE TABLE

Reps. Hinch and Shurtleff moved that SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be laid on the table. Motion adopted.

MOTION TO RECESS

Rep. Kappler moved that the House stand in Recess until January 20, 2016.

Rep. Simmons spoke against.

Rep. Kappler spoke in favor.

Rep. Kappler withdrew his motion to Recess.

REMOVED FROM THE TABLE

Reps. Hinch and Shurtleff moved that **SB 136**, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court, be removed from the table. Motion adopted.

The question being adoption of the minority committee report of Ought to Pass with Amendment. Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 144 NAYS 159

YEAS - 144 BELKNAP

Gallagher, Brian

Varney, Peter

CARROLL

Buco, Thomas

Ticehurst, Susan

CHESHIRE

Abbott, Michael Eaton, Daniel McConnell, James Robertson, Timothy Weber, Lucy Ames, Richard Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Berch, Paul Ley, Douglas Pearson, William Tatro, Bruce Bordenet, John Mann, John Phillips, Larry Tilton, Benjamin

COOS

Fothergill, John

Moynihan, Wayne

Rappaport, Laurence

Thomas, Yvonne

GRAFTON

Abel, Richard Darrow, Stephen Massimilla, Linda White, Andrew Almy, Susan Ford, Susan Nordgren, Sharon Brown, Chris Hull, Robert Sykes, George Cooney, Mary Maes, Kevin Townsend, Charles

HILLSBOROUGH

Backus, Robert Christiansen, Lars Edwards, Elizabeth Gidge, Kenneth Guerette, C. Lee Herbert, Christopher Mangipudi, Latha Peterson, Ken Shaw, Barbara Takesian, Charlene Woodbury, David Baroody, Benjamin Cohen, Alan Estevez, Eric Goley, Jeffrey Hansberry, Daniel Jack, Martin Manley, Jonathan Porter, Marjorie Snow, Kendall Vann, Ivy Beaulieu, Jane Cornell, Patricia Forest, Armand Gonzalez, Carlos Harvey, Suzanne Leishman, Peter McNamara, Richard Rosenwald, Cindy Soucy, Timothy Walsh, Robert Brown, Pamela Cote, David Freitas, Mary Gorman, Mary Heath, Mary Long, Patrick O'Brien, Michael Shattuck, Gilman Sullivan, Daniel

Williams, Kermit

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Luneau, David Ratzki, Mario Shurtleff, Stephen Bartlett, Christy Doherty, David Henle, Paul MacKay, James Rogers, Katherine Turcotte, Alan Bradley, Paula Ebel, Karen Karrick, David Moffett, Howard Saunderson, George Wallner, Mary Jane Carson, Clyde Frazer, June Kidder, David Myler, Mel Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Azarian, Gary Cali-Pitts, Jacqueline Elliott, Robert Guthrie, Joseph Moody, Marcia Ward, Gerald Berrien, Skip Cardon, G. Thomas Francese, Paula Heffron, Frank Pantelakos, Laura Borden, David Cushing, Robert Gordon, Pamela Itse, Daniel Sherman, Thomas

Cahill, Michael DiFranco, Debbie Gordon, Richard Lovejoy, Patricia Simpson, Alexis

STRAFFORD

	STR	RAFFORD	
Baber, William Cilley, Jacalyn Rollo, Deanna	Bickford, David DiSesa, Len Schmidt, Peter	Bixby, Peter Horrigan, Timothy Spang, Judith	Burton, Wayne Kaen, Naida Treleaven, Susan
Wall, Janet	SU	LLIVAN	
Cloutier, John Irwin, Virginia	Converse, Larry Oxenham, Lee	Gagnon, Raymond Rollins, Skip	Gottling, Suzanne
	NA	YS - 159	
	ВІ	ELKNAP	
Aldrich, Glen Fraser, Valerie Spanos, Peter	Dumais, Russell Howard, Jr., Raymond Sylvia, Michael	Fields, Dennis Hurt, George Tilton, Franklin	Flanders, Donald Luther, Robert Vadney, Herbert
	CA	ARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	CI	HESHIRE	
Hunt, John		COOS	
	Bidout Loss	COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	-	RAFTON	
Gionet, Edmond	Hennessey, Erin	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	HILL	SBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris Eastman, Eric Gargasz, Carolyn Hansen, Peter Kurk, Neal McCarthy, Peggy Murotake, David Ober, Russell Proulx, Mark Sanborn, Laurie Straight, Phillip Wolf, Terry	Ammon, Keith Boehm, Ralph Christie, Rick Edelblut, Frank Gould, Linda Hinch, Richard Lachance, Joseph McClarren, Donald Murphy, Keith Parison, James Rice, Kimberly Simmons, Tammy Sullivan, Victoria	Balcom, John Burt, John Coffey, James Ferreira, Elizabeth Griffin, Barbara Hogan, Edith LeBrun, Donald McLean, Mark Notter, Jeanine Pellegrino, Anthony Rouillard, Claire Smith, Gregory Twombly, Timothy	Belanger, James Byron, Frank Danielson, David Gagne, Larry Halstead, Carolyn Infantine, William Marston, Dick Moore, Josh Ober, Lynne Pierce, David Rowe, Robert Souza, Kathleen Ulery, Jordan
,, , , , , , , , , , , , , , , , , , ,	ME	RRIMACK	
Brewster, Michael Horn, Werner Marple, Richard Seaworth, Brian	French, Harold Kotowski, Frank Martin, John Walsh, Thomas	Hess, David Kuch, Bill McGuire, Carol	Hoell, J.R. Long, Douglas McGuire, Dan
	ROC	CKINGHAM	
Abrami, Patrick Bates, David Cook, Allen Emerick, J. Tracy	Allen, Mary Bush, Carol Dean-Bailey, Yvonne Fesh, Robert	Baldasaro, Alfred Chase, Francis Devine, James Gannon, William	Barnes, Arthur Christie, Andrew Duarte, Joe Green, Dennis Hoelzel, Kathleer

Hodgdon, Bruce

Katsakiores, Phyllis

Griffin, Mary

Introne, Robert

Harris, Jeffrey Kappler, Lawrence Hoelzel, Kathleen

Kolodziej, Walter

Manning, John Osborne, Jason Rice, Frederick Tilton, Rio Webb, James Matthews, Carolyn Peckham, Michele Schroadter, Adam Tucker, Parnela Welch, David

McKinney, Betsy Potucek, John Spillane, James Vose, Michael Weyler, Kenneth

McMahon, Charles Prudhomme-O'Brien, Katherine Tasker, Kyle Ward, Joanne

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard Cheney, Catherine Groen, Warren Leeman, Don Whitehouse, Joshua DeLemus, Susan Hannon, Joseph Mullen, John Wuelper, Kurt

Graham, Robert Jones, Laura Sprague, Dale

Woitkun, Steven

SULLIVAN

Laware, Thomas

Smith, Steven

and the motion failed.

Rep. Kurk moved Inexpedient to Legislate.

Rep. Spanos requested a roll call; sufficiently seconded.

YEAS 166 NAYS 137

YEAS - 166

BELKNAP

Dumais, Russell Howard, Jr., Raymond Sylvia, Michael Fields, Dennis Hurt, George Tilton, Franklin Flanders, Donald Luther, Robert Vadney, Herbert

CARROLL

Avellani, Lino Cordelli, Glenn Parker, Harold

Aldrich, Glen

Fraser, Valerie

Spanos, Peter

Varney, Peter

Buco, Thomas McCarthy, Frank Umberger, Karen Chandler, Gene McConkey, Mark Wright, Ted Comeau, Ed Nelson, Bill

CHESHIRE

Bordenet, John

Hunt, John

COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholi, John

GRAFTON

Gionet, Edmond Ladd, Rick Hennessey, Erin

Ingbretson, Paul

Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Christensen, Chris
Danielson, David
Gagne, Larry
Griffin, Barbara
Hogan, Edith
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Pellegrino, Anthony
Rouillard, Claire
Smith, Gregory
Twombly, Timothy

Ammon, Keith Boehm, Ralph Christiansen, Lars Eastman, Eric Gargasz, Carolyn Halstead, Carolyn Infantine, William Marston, Dick Moore, Josh Ober, Lynne Pierce, David Rowe, Robert Souza, Kathleen Ulery, Jordan Balcom, John
Burt, John
Christie, Rick
Edelblut, Frank
Gonzalez, Carlos
Hansen, Peter
Kurk, Neal
McCarthy, Peggy
Murotake, David
Ober, Russell
Proulx, Mark
Sanborn, Laurie
Straight, Phillip
Wolf, Terry

Belanger, James Byron, Frank Coffey, James Ferreira, Elizabeth Gould, Linda Hinch, Richard Lachance, Joseph McClarren, Donald Murphy, Keith Parison, James Rice, Kimberly Simmons, Tammy Sullivan, Victoria

MERRIMACK

Brewster, Michael French, Harold Hess, David Hoell, J.R.
Horn, Werner Kotowski, Frank Kuch, Bill Long, Douglas
Marple, Richard Marlin, John McGuire, Carol McGuire, Dan
Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Christie, Andrew
Duarte, Joe
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Manning, Jol
McMahon, Charles
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Ward, Joanne
Allen, Mary
Bates, David
Cook, Allen
Emerick, J. T
Griffin, Mary
Introne, Rob
Manning, Jol
Osborne, Jae
Rice, Freder
Tilton, Rio
Webb, Jame

Azarian, Gary Bush, Carol Bates, David Dean-Bailey, Yvonne Fesh. Robert Emerick, J. Tracy Harris, Jeffrey Kappler, Lawrence Introne, Robert Matthews, Carolyn Manning, John Peckham, Michele Osborne, Jason Schroadter, Adam Rice, Frederick Tucker, Pamela Welch, David Webb, James

Baldasaro, Alfred Chase, Francis Devine, James Gannon, William Hodgdon, Bruce Katsakiores, Phyllis McKinney, Betsy Potucek, John Spillane, James Vose, Michael Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Woitkun, Steven

Cheney, Catherine Groen, Warren Leeman, Don Whitehouse, Joshua DeLemus, Susan Hannon, Joseph Mullen, John Wuelper, Kurt

Graham, Robert Jones, Laura Sprague, Dale

Laware, Thomas Smith, Steven

NAYS - 137 BELKNAP

SULLIVAN

Gallagher, Brian

CARROLL

Ticehurst, Susan

CHESHIRE

Abbott, Michael Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Ames, Richard Ley, Douglas Pearson, William Tatro, Bruce Berch, Paul Mann, John Phillips, Larry Tilton, Benjamin Eaton, Daniel McConnell, James Robertson, Timothy Weber, Lucy

COOS

Rappaport, Laurence

Thomas, Yvonne

GRAFTON

Abel, Richard Darrow, Stephen Massimilla, Linda White, Andrew

Moynihan, Wayne

Almy, Susan Ford, Susan Nordgren, Sharon

Brown, Chris Hull, Robert Sykes, George Cooney, Mary Maes, Kevin Townsend, Charles

HILLSBOROUGH

Backus, Robert Cohen, Alan Estevez, Eric Goley, Jeffrey Harvey, Suzanne Leishman, Peter Baroody, Benjamin Comell, Patricia Forest, Armand Gorman, Mary Heath, Mary Long, Patrick Beaulieu, Jane Cote, David Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangipudi, Latha Brown, Pamela Edwards, Elizabeth Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan

McNamara, Richard Rosenwald, Cindy Soucy, Timothy Walsh, Robert	O'Brien, Michael Shattuck, Gilman Sullivan, Daniel Williams, Kermit	Peterson, Ken Shaw, Barbara Takesian, Charlene Woodbury, David	Porter, Marjorie Snow, Kendall Vann, Ivy
	MI	PDDIMACE	

	1741	CARINACA	
Alicea, Caroletta Deloge, Helen Gile, Mary Luneau, David Ratzki, Mario	Bartlett, Christy Doherty, David Henle, Paul MacKay, James Rogers, Katherine	Bradley, Paula Ebel, Karen Karrick, David Moffett, Howard Saunderson, George	Carson, Clyde Frazer, June Kidder, David Myler, Mel Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Cardon, G. Thomas Francese, Paula Heffron, Frank	Borden, David Cushing, Robert Gordon, Pamela Itse. Daniel	Cahill, Michael DiFranco, Debbie Gordon, Richard	Cali-Pitts, Jacqueline Elliott, Robert Guthrie, Joseph
Heffron, Frank Pantelakos, Laura	Itse, Daniel	Lovejoy, Patricia	Moody, Marcia
ranielakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William Cilley, Jacalyn Rollo, Deanna Wall, Janet	Bickford, David DiSesa, Len Schmidt, Peter	Bixby, Peter Horrigan, Timothy Spang, Judith	Burton, Wayne Kaen, Naida Treleaven, Susan
YYali, Jaliet			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Rollins, Skip	Gottining, Odzaniio
and the motion was	s adopted.	-, p	

(Rep. Chandler in the Chair) MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Carol McGuire moved that the House reconsider it action whereby, on a roll call vote of 166-137, the House adopted the motion of Inexpedient to Legislate on SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.

Rep. Kappler requested a roll call; not sufficiently seconded. Motion failed.

REGULAR CALENDAR CONT'D

HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill would allow a municipality to borrow from existing funds that have been set aside for particular purposes for future expenditures. While using funds which have been set aside and are not currently in use is like borrowing from one's own savings account sounds like a great idea, looking deeper into it brought out some unintended pitfalls. Despite a constructive attempt to alter the original bill with an amendment, a bi-partisan majority of the Municipal and County Government Committee believes that potential problems still exist. The bill allows the governing body of a municipality to borrow beyond its current fiscal year with a 2/3 vote of the legislative body. This means that for a town it could only be accomplished at an annual meeting and would resemble a self-funded bond issue. It would also require a higher percentage to pass in SB 2 municipalities which normally require a sixty percent vote. The idea of reducing municipal costs by safe use of a temporary surplus in another fund should be explored further, but this bill could create more problems than it resolves. Vote 10-3. Committee report adopted.

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. OUGHT TO PASS.

Rep. Francis Chase for Municipal and County Government. This bill was one of three that concerned veterans' issues and was considered, by the committee, to be the most deserving. Municipalities vote to set the maximum amount of a tax credit given to eligible veterans between \$50 and \$500. There is a gap in the eligibility period at the end of the Korean War and the beginning of the Viet Nam conflict where veterans who served, regardless of where, are not eligible. This causes a veteran who may have served in a combat area to be denied the credit while a veteran serving in the States during another period is eligible. The current statute does not address where one served as much as when. Some veterans were getting the credit but lost it when some municipalities realized there was a gap in the eligibility period. This bill removes that gap and treats all veterans serving during the entire period the same without discrimination. The subject of making this enabling was not considered seriously by the committee as it would have created different classes of veterans between municipalities. Vote 13-0. Committee report adopted and ordered to third reading.

SB 146, relative to accessory dwelling units. OUGHT TO PASS WITH AMENDMENT.

Rep. James Belanger for Municipal and County Government. Senate Bill 146, a bill relative to accessory dwelling units, is much improved since its inception. A bipartisan subcommittee received substantive input from planning and zoning experts, municipal officials, and private industry representatives as well as several governing bodies. The resulting bill responds to overwhelming consumer demand for housing diversity and affordability, while at the same time, minimizing the potential for unintended consequences with careful wording. The bill allows accessory dwelling units to be established in the predominantly residential areas of all New Hampshire communities. This will help serve the needs of our state's aging and disabled populations, and will help address the desire of our younger residents to remain here to live and work by providing more affordable housing options. The bill includes several carefully drafted safeguards that ensure important municipal controls. Such controls include the ability to adopt conditional use or special exception requirements, the ability to require the "look and feel" of single family homes, incorporation of the accessory dwelling unit into the primary dwelling, and sizing and setback regulations that address well-grounded concerns about overburdening and unreasonable impacts upon neighbors and residential neighborhoods. The legislation also clarifies that municipalities may allow detached accessory dwelling units, but they are not required to do so. Finally, the bill allows municipalities to count qualifying accessory dwelling units toward their required fair share under the state's workforce housing law. The amended bill is an effective compromise that addresses almost every concern that was raised before the committee, and it contains numerous safeguards that will protect municipal interests while also helping to meet the needs of our changing population and allowing all homeowners fuller use of their property. Vote 11-2.

Amendment (2424h)

Amend the bill by replacing section 2 with the following:

2 New Subdivision; Accessory Dwelling Units. Amend RSA 674 by inserting after section 70 the following new subdivision:

Accessory Dwelling Units

674:71 Definition. As used in this subdivision, "accessory dwelling unit" means a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

674:72 Accessory Dwelling Units.

- I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this chapter shall allow accessory dwelling units as a matter of right or by either conditional use permit pursuant to RSA 674:21 or by special exception, in all zoning districts that permit single-family dwellings. One accessory dwelling unit shall be allowed without additional requirements for lot size, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an accessory dwelling unit. The municipality is not required to allow more than one accessory dwelling unit for any single-family dwelling.
- II. If a zoning ordinance contains no provisions pertaining to accessory dwelling units, then one accessory dwelling unit shall be deemed a permitted accessory use, as a matter of right, to any single-family dwelling in the municipality, and no municipal permits or conditions shall be required other than a building permit, if necessary.

III. An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit, but a municipality shall not require that it remain unlocked.

IV. Any municipal regulation applicable to single-family dwellings shall also apply to the combination of a principal dwelling unit and an accessory dwelling unit including, but not limited to lot coverage standards and standards for maximum occupancy per bedroom consistent with policy adopted by the United States Department of Housing and Urban Development. A municipality may require adequate parking to accommodate an accessory dwelling unit.

V. The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38,

but separate systems shall not be required for the principal and accessory dwelling units.

VI. A municipality may require owner occupancy of one of the dwelling units, but it shall not specify which unit the owner must occupy. A municipality may require that the owner demonstrate that one of the units is his or her principal place of residence, and the municipality may establish reasonable regulations to enforce such a requirement.

VII. A municipality may establish standards for accessory dwelling units for the purpose of maintaining the aesthetic continuity with the principal dwelling unit as a single-family dwelling. A municipality may also establish minimum and maximum sizes for an accessory dwelling unit, provided that size may not be restricted to less than 750 square feet.

VIII. A municipality may not require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.

IX. A municipality may not limit an accessory dwelling unit to only one bedroom.

X. An accessory dwelling unit may be deemed a unit of workforce housing for purposes of satisfying the municipality's obligation under RSA 674:59 if the unit meets the criteria in RSA 674:58, IV for rental units.

674:73 Detached Accessory Dwelling Units. A municipality is not required to but may permit detached accessory dwelling units. Detached accessory dwelling units shall comply with the requirements of, and any municipal ordinances or regulations adopted pursuant to, RSA 674:72, IV through IX. If a municipality allows detached accessory dwelling units, it may require an increased lot size. Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect June 1, 2017.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Beaulieu offered floor amendment (3060h).

Floor Amendment (3060h)

Amend RSA 674:72, VI-VIII as inserted by section 2 of the bill by replacing them with the following:

VI. A municipality shall require owner occupancy of one of the dwelling units, but it shall not specify which unit the owner must occupy. A municipality may require that the owner demonstrate that one of the units is his or her principal place of residence, and the municipality may establish reasonable regulations to enforce such a requirement.

VII. A municipality shall establish standards for accessory dwelling units for the purpose of maintaining the aesthetic continuity with the principal dwelling unit as a single-family dwelling. A municipality may also establish minimum and maximum sizes for an accessory dwelling unit, provided that size may not be restricted to less than 750 square feet.

VIII. A municipality shall require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.

Amend RSA 674:72 as inserted by section 2 of the bill by deleting paragraph X.

Amend section 2 of the bill by deleting RSA 674:73.

Rep. Beaulieu spoke in favor and yielded to questions.

(Speaker Jasper in the Chair)

Rep. Beaulieu withdrew floor amendment (3060h).

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Barbara Griffin spoke against and yielded to questions.

Rep. Beaudoin spoke against.

Rep. Porter spoke in favor and yielded to questions.

Rep. Almy requested a roll call; sufficiently seconded.

YEAS 188 NAYS 93

YEAS - 188 BELKNAP

Aldrich, Glen Gallagher, Brian Spanos, Peter

CARROLL

Avellani, Lino Buco, Thomas Comeau, Ed McCarthy, Frank McConkey, Mark Parker, Harold Ticehurst, Susan Umberger, Karen

CHESHIRE

Ames, Richard Berch, Paul Bordenet, John Abbott, Michael Johnsen, Gladys Ley, Douglas Eaton, Daniel Hunt, John McConnell, James Pearson, William Phillips, Larry Mann, John Tilton, Benjamin Tatro, Bruce Robertson, Timothy Shepardson, Mariorie Weber, Lucy

COOS

Moynihan, Wayne Tholl, John

GRAFTON

Abel, Richard Almy, Susan Brown, Chris Cooney, Mary
Gionet, Edmond Hennessey, Erin Ingbretson, Paul Maes, Kevin
Massimilla, Linda Nordgren, Sharon Sykes, George Townsend, Charles
White. Andrew

HILLSBOROUGH

Ammon, Keith Backus, Robert Balcom, John Baroody, Benjamin Brown, Pamela Burt, John Biggie, Barbara Belanger, James Edelblut, Frank Eastman, Eric Cohen, Alan Coffey, James Estevez, Eric Ferreira, Elizabeth Freitas, Marv Edwards, Elizabeth Gonzalez, Carlos Gargasz, Carolyn Gidge, Kenneth Goley, Jeffrey Harvey, Suzanne Heath, Mary Haistead, Carolyn Guerette, C. Lee Hinch, Richard Infantine, William Jack, Martin Lachance, Joseph Manley, Jonathan Mangipudi, Latha LeBrun, Donald Leishman, Peter McNamara, Richard Moore, Josh McClarren, Donald McLean, Mark O'Brien, Michael Ober, Lynne Ober, Russell Murphy, Keith Porter, Marjorie Prouix, Mark Parison, James Pellegrino, Anthony Simmons, Tammy Shattuck, Gilman Sanborn, Laurie Rice. Kimberly Soucy, Timothy Sullivan, Daniel Snow, Kendall Smith, Gregory Williams, Kermit Sullivan, Victoria Vann, Ivy Walsh, Robert Woodbury, David

MERRIMACK

Bradley, Paula Carson, Clyde Bartlett, Christy Alicea, Caroletta French, Harold Deloge, Helen Doherty, David Frazer, June Hoell, J.R. Karrick, David Gile, Mary Henle, Paul Luneau, David MacKay, James Martin, John Kuch, Bill Ratzki, Mario McGuire, Dan Moffett, Howard Myler, Mel Rogers, Katherine Schuett, Dianne Seaworth, Brian Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary Bates, David Berrien, Skip Abrami, Patrick Chase, Francis Cahill, Michael Cali-Pitts, Jacqueline Borden, David Christie, Andrew Cushing, Robert Dean-Bailey, Yvonne Devine, James DiFranco, Debbie Elliott, Robert Fesh, Robert Francese, Paula

Turcotte, Leonard

Wuelper, Kurt

164	House Journ	NAL JANUARY 7, 2016	
Gordon, Pamela Hoelzel, Kathleen Katsakiores, Phyllis McMahon, Charles Potucek, John Simpson, Alexis	Griffin, Mary Introne, Robert Kolodziej, Walter Moody, Marcia Rice, Frederick Spillane, James	Guthrie, Joseph Itse, Daniel Lovejoy, Patricia Osborne, Jason Schroadter, Adam Ward, Gerald	Heffron, Frank Kappler, Lawrence Matthews, Carolyn Pantelakos, Laura Sherman, Thomas Webb, James
	ST	RAFFORD	
Baber, William DiSesa, Len Horrigan, Timothy Spang, Judith	Bixby, Peter Gray, James Jones, Laura Treleaven, Susan	Burton, Wayne Groen, Warren Kaen, Naida Wall, Janet	DeLemus, Susan Hannon, Joseph Schmidt, Peter
	S	ULLIVAN	
Cloutier, John Irwin, Virginia	Converse, Larry Oxenham, Lee	Gagnon, Raymond Smith, Steven	Gottling, Suzanne
	N	NAYS - 93	
	В	BELKNAP	
Dumais, Russell Howard, Jr., Raymond Vadney, Herbert	Fields, Dennis Hurt, George Varney, Peter	Flanders, Donald Luther, Robert	Fraser, Valerie Tilton, Franklin
	C	ARROLL	
Chandler, Gene	Cordelli, Glenn	Nelson, Bill	Wright, Ted
		coos	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
	C	RAFTON	•
Darrow, Stephen	Hull, Robert	Johnson, Eric	Ladd, Rick
Janon, Giophon	,		Ladd, Tilon
		SBOROUGH	
Adams, Christopher Christensen, Chris Forest, Armand Griffin, Barbara Long, Patrick Rouillard, Claire Straight, Phillip Wolf, Terry	Beaulieu, Jane Christie, Rick Gagne, Larry Hansberry, Daniel Marston, Dick Rowe, Robert Takesian, Charlene	Boehm, Ralph Cornell, Patricia Gorman, Mary Hogan, Edith Murotake, David Shaw, Barbara Twombly, Timothy	Byron, Frank Danielson, David Gould, Linda Kurk, Neal Pierce, David Souza, Kathleen Ulery, Jordan
	ME	RRIMACK	
Brewster, Michael Kidder, David McGuire, Carol	Ebel, Karen Kotowski, Frank Saunderson, George	Hess, David Long, Douglas Walsh, Thomas	Horn, Werner Marple, Richard Wheeler, Deborah
	ROC	CKINGHAM	
Allen, Mary Emerick, J. Tracy Hodgdon, Bruce Tilton, Rio Weyler, Kenneth	Barnes, Arthur Gordon, Richard Manning, John Vose, Michael Woitkun, Steven	Bush, Carol Green, Dennis Peckham, Michele Ward, Joanne	Cook, Allen Harris, Jeffrey Tasker, Kyle Welch, David
		RAFFORD	
Beaudoin, Steven Kaczynski, Jr., Thomas Turcotte, Leonard	Bickford, David Leeman, Don Wuelper, Kurt	Cheney, Catherine Mullen, John	Graham, Robert Sprague, Dale

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted and ordered to third reading.

HB 297, protecting individual customer data from disclosure by a public utility. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Glen Aldrich for the Majority of Science, Technology and Energy. The purpose of this bill is to protect a utility customer's personal data and to streamline the exchange of customer complaint data between the PUC and the office of consumer advocate, No evidence surfaced that utility customer data was in any way at risk. In fact all utilities stated they took great pains to protect this data. It seems this bill was a solution looking for a problem. The PUC said that it already has the authority to share customer complaint data with the consumer advocate making this bill unnecessary. Vote 12-8. Rep. David Borden for the Minority of Science, Technology and Energy. Although the NH executive branch is one of the least expensive in the nation on a per capita basis, there are processes which are overly bureaucratic and wasteful. The minority feels that it is the role of the legislature to streamline processes thus lowering the cost of government. The Public Utilities Commission requested this bill as a way to improve the flow and usefulness of customer information while also protecting privacy rights.

MOTION TO LAY ON THE TABLE

Rep. Introne moved that **HB 297**, protecting individual customer data from disclosure by a public utility, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 334, relative to the sale of personally identifiable information by Internet service providers. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Backus for Science, Technology and Energy. This bill, as amended, establishes a committee to study ways of requiring internet service providers to keep the personal information of customers confidential. It would establish a committee of 5 members, 3 members of the House and 2 members of the Senate. The study committee is to issue its report by November 1, 2016. As originally presented, the bill would have defined personally identifiable information, internet service provider, and require a customer to "opt in," rather than "opt out," before personally identifying information could be shared. While the committee generally shared the sponsor's concern about securing the privacy of personally identifiable information from unwanted disclosure to third parties, it became clear that this was a subject that required more time and expertise than was readily available to the committee or the sponsor. With the agreement of the sponsor, the bill was then amended to provide for a study committee so that necessary legal and technical assistance could be brought to bear to help assure effective legislation may be introduced as a result. Vote 14-6.

Amendment (2359h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) Two members of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - 3 Duties. The committee shall:
 - I. Define "Internet service providers".
 - II. Define "personally identifiable information".

III. Establish criteria for protecting the personally identifiable information of New Hampshire residents from being shared by entities that obtain such information by providing Internet service.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees. MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Frank Edelblut for the Majority of Special Committee on Public Employee Pension Plans. The committee recommends Interim Study to allow further exploration of "stacked hybrid" plans using this bill as a framework. Stacked plans return a component of a defined benefit plan (DB) up to a certain wage level with a defined contribution plan (DC) above that level. Vote 8-5.

Rep. Jeffrey Goley for the Minority of Special Committee on Public Employee Pension Plans. The reason for referring this bill for Interim Study was to use it as a vehicle to look at and study stacked hybrid plans. We believe the committee already has the ability to look at and study any plan without the need of legislation. There have already been numerous study commissions that have looked at the retirement system, including the subject addressed in this bill, which is establishing a defined contribution plan. If legislation is needed going forward there is already a bill that has been introduced for the upcoming session dealing with cash balance plans that can be used. Therefore the minority of the committee believes this legislation is not needed.

The question being adoption of the majority committee report of Refer for Interim Study.

Rep. Goley spoke against and yielded to questions.

Rep. Edelblut spoke in favor.

Majority committee report adopted.

HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system. **REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. The majority of the committee recommended Interim Study for this bill for the following reason: this bill, as presented, is a bare bones approach to moving the system towards a cash balance plan. The complexities to move New Hampshire to a cash balance plan modeled after the successful plans of Nebraska and Kansas merit a true Interim Study so that successful legislation can be brought forward for the benefit of the state, those employees currently in the system, and those who will join the system. Vote 9-4.

MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 556-FN-L**, establishing a cash balance plan for public employees in the retirement system, be laid on the table.

On a division vote, with 130 members having voted in the affirmative and 139 in the negative, the motion failed.

The question now being adoption of the committee report of Refer for Interim Study.

On a division vote, with 170 members having voted in the affirmative and 97 in the negative, the committee report was adopted.

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders for the Session of January 20, 2016.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, January 20, 2016 at 10:00 a.m..

LATE SESSION

Third Reading and Final Passage

HB 499, permitting New Hampshire farmers to sell farm-raised bison directly to the public.

HB 533, to installation requirements for arc-fault circuit interrupters.

HB 661-FN, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife.

SB 203-FN, relative to review of eligibility for workers' compensation.

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans.

SB 146, relative to accessory dwelling units.

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 4:30 p.m.

RECESS

(Rep. Hoelzel in the Chair) RESOLUTION

Rep. Hinch offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 1698 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee. Motion adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1698-FN, relative to an integrative approach to substance abuse disorders. (V. Fraser, Belk. 1; Rouillard, Hills. 6; Suzanne Smith, Graf. 8; L. Ober, Hills. 37; Cheney, Straf. 17; Bradley, Dist 3; Health, Human Services and Elderly Affairs)

SENATE MESSAGES CONCURRENCE

HB 331, relative to absences among selectmen on election day.

HB 555, relative to participation of chartered public school students in school district co-curricular activities.

NONCONCURRENCE

HB 346, relative to criminal history records checks for school employees and volunteers.

HB 463, relative to state agency communications.

HB 529, relative to party conventions.

REFERRED FOR INTERIM STUDY

HB 689, relative to adoption of a default budget.

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Chandler offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 1699 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee. Motion adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. (Hinch, Hills. 21; Bradley, Dist 3; Executive Departments and Administration)

REFERRAL DECLINED

Rep. Andrew Christie, Chairman of the Committee on Executive Departments and Administration, under the provisions of House Rule 46 (f), declined the referral of **HB 301**, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level.

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 369, 447 and 576 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Education)

SB 447-FN, establishing a commission to study Narcan. (Criminal Justice and Public Safety)

SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. (Criminal Justice and Public Safety)

SENATE MESSAGES CONCURRENCE

HB 502, relative to petitions for verification of checklists.

NONCONCURRENCE

HB 521, relative to the size of the pool of the workers' compensation appeals board.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 3

Wednesday, January 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty God, You are the source of energy, productivity, restoration, creativity, and life. When the bitter cold permeates our very bones, may the warmth of Your Spirit invigorate us. When darkness falls before the day is complete, may the light of Your Spirit renew our vision and enhance the work of our hands. When we are surrounded by the bleakness of bare branches and withered plants, may the hope of Your Spirit flourish within us and feed our souls. When the earth is frozen and hidden by ice and snow, may the wisdom of Your Spirit enable us to see beyond what is to what could be. And when the harsh winds overwhelm us and take our breath away, may the power of Your Spirit breathe new life into our bodies, minds and spirits. Creator of all that is, inspire us to break free from the bonds of winter and make us Your bearers of warmth, light, hope, wisdom, and life-giving power. Amen.

Representative Kuch, member from Bow, led the Pledge of Allegiance.

The National Anthem was sung by Jake Harkins, a senior at Bow High School.

UNANIMOUS CONSENT

Rep. Suzanne Smith requested Unanimous Consent of the House regarding memorial remarks for the former Representative from Campton, the Honorable James Aguiar.

Rep. Suzanne Smith addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Suzanne Smith be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Suzanne Smith: Good Morning and thank you, Mister Speaker and thank you, members. The honorable Dr. James D. Aguiar was first elected to the New Hampshire House in a special election in December 2005. The Grafton 5 District he was campaigning in for his first try for public office stretched from Orford on the Connecticut River through the Southern White Mountains and the slopes of Moosilauke to Campton, his home on the far side of Interstate 93. I'd say at least 40 miles end to end. That December day was cold and voters rushing from their warm cars to the polls remarked on his fortitude braving the 7-degree weather for his chance to serve in this august body. Jim was elected to serve and he and his wife, Martha, stood together before Governor Lynch to be sworn into office before Session that began January 2006. Jim served on the Resources, Recreation and Development Committee from 2005 until 2014. Regardless of whether the Chair was a Democrat or Republican, Jim dug for answers on issues, worked for the common good and spoke his mind. He fought for what he believed in and was especially proud to have passed marriage equality legislation. His relentless spirit made him a valuable member of the Grafton County Delegation where he served on the executive committee. He strove to adopt county budgets which kept taxes in check while not forsaking the needs of those less fortunate and the social services the county provides. Jim Aguiar lived a good life that ended too soon on August 13, 2015. He was born in Biddeford, Maine on December 10, 1946. He graduated from Biddeford High School where he was a two-time state wrestling champion. Wrestling played an active role throughout his life, as did football. He coached football at the University of Oregon while he pursued his master's degree and in 1974, he and his wife, Martha, moved to Campton, NH where he served as Assistant Professor of Health Education, Assistant Football Coach and Head Wrestling Coach at Plymouth State. After earning his doctorate in 1986, Jim's career took

him to Ithaca College. For retirement, he and his family came home to Campton, if you can call retiring continuing to coach wrestling at PSU and becoming active in New Hampshire politics. At Jim's memorial service in August, grown men who had been led by Coach Aguiar, rose one after another recalling how he had affected their lives for the good. One of these boys, Billy Mitchell, recalled, "Jim was a father figure to me and many others. We had our issues, but I always knew he was behind me and the Panther family." That's the PSU Panthers. Jim coached many All New England wrestlers, including the first NCAA-All American wrestler at Plymouth State. He still holds the record for the most career dual-meet victories over 100 wins. Jim had many passions. He played his Gibson guitar at open mic nights, local fundraisers, and the Campton Farmer's Market. He enjoyed boats, whether sailing or kayaking. He and Martha took time, I don't know how they did with everything else he did, to explore all 7 continents and 50 states. During the 4-years I served with Jim in the Legislature, he spoke often of his daughters, Jessica and Gretchen, and his grandchildren whom he could never spend enough time with. I saw Jim last a couple of weeks before he died. He was happy to be home after many extended hospital stays. Jim and Martha's house, perches above the Pemigewasset River. We visited in his living room, looking over the river that he loved. In the words of New Hampshire singer/songwriter Bill Staines,

"River take me along in your sunshine. Sing me a song ever moving and winding and free. You rolling old river. You changing old river. Let's you and me, river, run down to the sea." The Honorable Dr. James Aguiar, Representative Aguiar, Jim, was a true renaissance man and is missed by all who knew him.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Campton, the Honorable James Aguiar.

INTRODUCTION OF SPECIAL GUEST

The Speaker welcomed Mrs. Martha Aguiar, guest of the House.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Comtois, DiFranco, Emerson, Gallagher, Gargasz, Gidge, Gladys Johnsen, Kellogg, Knowles, Major, Marston, Moody, O'Hearne, Priestley and Sanders, the day, illness. Reps. Beaudoin, Bouldin, Friel, Goulette, Erin Hennessey, Hirsch, Kolodziej, Ley, Long, O'Neil, Packard, Sprague, Daniel Sullivan, Tamburello, Gerald Ward and Kenneth Ward, the day, important business. Reps. Ferrante and Scontsas, the day, death in the family.

INTRODUCTION OF GUESTS

Hunter Stickney, a student at Hollis Brookline High School and grandson of Rep. James Belanger, Page for the day.

Carl Rice, Son of Rep. Chip Rice. Dan Brennan, Peggy Martin, Ian and Sabine Halm, guests of Rep. Suzanne Smith. Christine Harkins, Eliot Berman, and Sarah Jasper, parents of the singer and daughter of the Speaker, guests of the Speaker.

INTRODUCTION OF SPECIAL GUEST

The Honorable John Kasich, Governor of the State of Ohio addressed the House.

INTRODUCTION OF SPECIAL GUEST

The Honorable Marco Rubio, United States Senator for the State of Florida addressed the House.

SPECIAL REPORT

Rep. Hinch addressed the House regarding a report from the Joint Task Force for the Response to the Heroin and Opioid Epidemic.

REGULAR CALENDAR

SB 447-FN, establishing a commission to study Narcan. OUGHT TO PASS.

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill establishes a fourteen-member commission to study Narcan. The commission will study all aspects of Narcan, including: whether there should be a registry established for those in possession of Narcan; the training required regarding

dosage, conditions for administering Narcan, and other appropriate training; whether there should be mandatory reporting of use of Narcan; and whether those persons who are administered Narcan should be required to go to outpatient treatment for a certain period of time. The commission will also produce a long-term plan on the use and distribution of Narcan. Vote 14-0.

Rep. Edwards spoke against and yielded to questions.

Rep. Tholl spoke in favor and yielded to questions.

On a division vote, with 275 members having voted in the affirmative and 71 in the negative, the committee report was adopted and ordered to third reading.

SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. OUGHT TO PASS.

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill addresses many of the issued raised by the Joint Task Force for the Response to the Heroin and Opioid Epidemic. Current reports indicate that last year there were 385 deaths as a result of opioid abuse in the state. The final number of deaths for the year may be even higher. The bill establishes a multi-pronged response to the problem by strengthening our laws in several areas including law enforcement, the program for monitoring prescriptions for controlled drugs, the education of medical providers, and insurance coverage for substance abuse treatment. These changes represent important steps in what will be a lengthy process to tackle this complex problem. Specifically, the bill adds penalties for the possession and use of fentanyl that are equal to the penalties for the possession and use of heroin and crack cocaine. Fentanyl is a powerful derivative of morphine that in combination with heroin, increases the potency and danger of the drug. Prescribers are further required to periodically query the PDMP for the same patient for subsequent prescriptions. Another provision in the bill permits prescribers and dispensers to assign designees to fulfill these enhanced requirements. Prescribers of controlled drugs will also be required to complete continuing education in pain management and addiction disorder. In order to provide more consistency in insurance coverage for substance abuse treatment, the bill requires all managed care health plans in the state to use the same criteria for determining medical necessity. Plans also must provide two routine outpatient visits without a requirement for prior authorization. Vote 11-3.

MOTION TO DIVIDE

Rep. Carol McGuire moved that Sections 5, 6, 7, 9, 13 and 14 be divided from SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs.

Rep. Carol McGuire spoke in favor.

Reps. Hinch and Lynne Ober spoke against.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 106 NAYS 239

YEAS - 106 BELKNAP

Aldrich, Glen Fisher, Robert Howard, Jr., Raymond Hurt, George LeBreche, Shari Spanos, Peter Sylvia, Michael Vadney, Herbert Varney, Peter

Ticehurst, Susan Wright, Ted

CHESHIRE

Buco, Thomas

McConnell, James Phillips, Larry

COOS

Comeau, Ed

Cordelli, Glenn

Rideout, Leon

Avellani, Lino

GRAFTON

Brown, Duane Hull, Robert Johnson, Eric HILLSBOROUGH Adams, Christopher Ammon, Keith Boehm, Ralph Burt, John Christie. Rick Coffey, James Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Griffin, Barbara Halstead, Carolyn Hogan, Edith Hopper, Gary Leishman, Peter McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Rice. Kimberly Sanborn, Laurie Schleien, Eric Seidel, Carl Simmons, Tammy Souza, Kathleen Stepanek, Stephen Sullivan, Victoria Ulery, Jordan Zaricki, Nick MERRIMACK French, Harold Brewster, Michael Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Marple, Richard Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian ROCKINGHAM Abramson, Max Allen, Mary Baldasaro, Alfred Barnes, Arthur Bates, David Bush, Carol Dean-Bailey, Yvonne Duarte, Joe Green, Dennis Harris, Jeffrey Hodadon, Bruce Itse. Daniel Kappler, Lawrence Manning, John McKinney, Betsy Oligny, Jeffrey Osborne, Jason Peckham, Michele Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Sherman, Thomas Spillane, James Tasker, Kyle Thomas, Douglas True, Chris Tucker, Pamela Vose, Michael STRAFFORD DeLemus, Susan Gardner, Janice Groen, Warren Jones, Laura Kaczynski, Jr., Thomas Pitre, Joseph Turcotte, Leonard Whitehouse, Joshua Wuelper, Kurt SULLIVAN Rollins, Skip Laware. Thomas **NAYS - 239** BELKNAP Dumais, Russell Fields. Dennis Flanders, Donald Fraser, Valerie Luther, Robert Tilton, Franklin CARROLL Butler, Edward Chandler, Gene Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen CHESHIRE Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Hunt, John Mann, John Parkhurst, Henry Pearson, William Roberts, Kris Robertson, Timothy Sad. Tara Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Moynihan, Wayne Rappaport, Laurence Richardson, Herbert Theberge, Robert Tholl, John Thomas, Yvonne

GRAFTON

Abel, Richard Brown, Rebecca Gionet, Edmond Massimilla, Linda Sykes, George Almy, Susan Cooney, Mary Higgins, Patricia Nordgren, Sharon Townsend, Charles

Bailey, Brad Darrow, Stephen Ladd, Rick Piper, Wendy White, Andrew Bennett, Travis Ford, Susan Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Brown, Pamela Cohen, Alan DiSilvestro, Linda Freitas, Mary Guerette, C. Lee Harvey, Suzanne Jack, Martin LeBrun, Donald Martel, Andre Ober, Lynne Pierce, David Rosenwald, Cindy Shaw, Barbara Straight, Phillip

Balcom, John Belanger, James Byron, Frank Cornell, Patricia Donovan, Daniel Gagne, Larry Haefner, Robert Heath, Mary Jeudy, Jean Long, Patrick McCarthy, Peggy Palmer, Barry Porter, Marjorie Rouillard, Claire Smith, Timothy Takesian, Charlene Williams, Kermit

Baroody, Benjamin Biggie, Barbara Christensen, Chris Cote. David Flanagan, Jack Goley, Jeffrey Hansberry, Daniel Herbert, Christopher Kurk, Neal Mangipudi, Latha McNamara, Richard Pellegrino, Anthony Proulx, Mark Rowe, Robert Snow, Kendall Twombly, Timothy Wolf, Terry

Barry, Richard Booras, Efstathia Christiansen, Lars Danielson, David Forest, Armand Gorman, Mary Hansen, Peter Hinch, Richard Lachance, Joseph Manley, Jonathan O'Brien, Michael Peterson, Ken Roberts, Carol Shattuck, Gilman Soucy, Timothy Vann, Ivy Woodbury, David

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

Walsh, Robert

Bartlett, Christy Doherty, David Gile, Mary Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne Walsh, Thomas Carson, Clyde Frazer, June Hess, David Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Cahill, Michael Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Gordon, Pamela Hagan, Joseph Lovejoy, Patricia McMahon, Charles Pantelakos, Laura Sytek, John Weyler, Kenneth

Azarian, Gary
Cali-Pitts, Jacqueline
Christie, Andrew
Devine, James
Fesh, Robert
Gordon, Richard
Hoelzel, Kathleen
Lundgren, David
Milz, David
Potucek, John
Ward, Joanne
Woitkun, Steven

Berrien, Skip Cardon, G. Thomas Cook, Allen Doucette, Fred Francese, Paula Griffin, Mary Introne, Robert Matthews, Carolyn Nigrello, Robert Simpson, Alexis Webb, James

Borden, David Chase, Francis Cushing, Robert Elliott, Robert Gannon, William Guthrie, Joseph Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Sweeney, Joe Welch, David

STRAFFORD

Baber, William Burton, Wayne Graham, Robert Kaen, Naida Schmidt, Peter Stevens, Audrey Berube, Roger Cheney, Catherine Gray, James Leeman, Don Smith, Marjorie Treleaven, Susan

Bickford, David Cilley, Jacalyn Hannon, Joseph Mullen, John Southworth, Thomas Verschueren, James Bixby, Peter DiSesa, Len Horrigan, Timothy Rollo, Deanna Spang, Judith Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Oxenham, Lee Schmidt, Andrew Smith, Steven

onnan, oteven

Ford, Susan

Maes, Kevin

Sykes, George

and the motion failed.

Rep. Sherman voted Yea and intended to vote Nay.

The question now being adoption of the committee report of Ought to Pass.

Rep. Carol McGuire spoke against.

Rep. Tholl spoke in favor and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

Gionet, Edmond

Massimilla, Linda

Townsend, Charles

YEAS 276 NAYS 69

YEAS - 276

		BELKNAP	
Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Hurt, George	Luther, Robert	Russell, David	Tilton, Franklin
	•	CARROLL	
Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	
		COOS	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert Thomas, Yvonne	Rideout, Leon	Theberge, Robert	Tholl, John
,		GRAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
		-	•

HILLSROPOUGH

Higgins, Patricia

Piper, Wendy

White, Andrew

Ladd, Rick

Smith, Suzanne

TILL		
Balcom, John	Baroody, Benjamin	Barry, Richard
Belanger, James	Biggie, Barbara	Booras, Efstathia
Byron, Frank	Christensen, Chris	Christiansen, Lars
Cornell, Patricia	Cote, David	Danielson, David
Donovan, Daniel	Edelblut, Frank	Estevez, Eric
Forest, Armand	Freitas, Mary	Gagne, Larry
Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Herbert, Christopher	Hinch, Richard	Hogan, Edith
Infantine, William	Jack, Martin	Jeudy, Jean
Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	Martel, Andre
McNamara, Richard	Notter, Jeanine	O'Brien, Michael
Ohm, Bill	Palmer, Barry	Parison, James
	Balcom, John Belanger, James Byron, Frank Cornell, Patricia Donovan, Daniel Forest, Armand Gorman, Mary Hansberry, Daniel Herbert, Christopher Infantine, William Lachance, Joseph Mangipudi, Latha McNamara, Richard	Belanger, James Byron, Frank Cornell, Patricia Donovan, Daniel Forest, Armand Gorman, Mary Hansberry, Daniel Herbert, Christopher Infantine, William Lachance, Joseph Mangipudi, Latha McNamara, Richard Byron, Farbara Cotte, David Edelblut, Frank Freitas, Mary Griffin, Barbara Hansen, Peter Hinch, Richard Jack, Martin LeBrun, Donald Manley, Jonathan Notter, Jeanine

Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Smith, Timothy
Stepanek, Stephen
Twombly, Timothy
Wolf, Terry

Peterson, Ken Rice, Kimberly Rowe, Robert Snow, Kendall Straight, Phillip Ulery, Jordan Woodbury, David

Pierce, David Roberts, Carol Sanborn, Laurie Soucy, Timothy Sullivan, Victoria Vann, Ivy Porter, Marjorie Rosenwald, Cindy Shaw, Barbara Souza, Kathleen Takesian, Charlene Williams, Kermit

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hess, David
Kenison, Linda
MacKay, James
Ratzki, Mario
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy Doherty, David French, Harold Hirsch, Geoffrey Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen Wheeler, Deborah Bradley, Paula Ebel, Karen Gile, Mary Horn, Werner Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan Carson, Clyde Frazer, June Henle, Paul Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Bates, David
Cali-Pitts, Jacqueline
Christie, Andrew
DeSimone, Debra
Emerick, J. Tracy
Gordon, Pamela
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Welch, David

Abramson, Max Berrien, Skip Cardon, G. Thomas Cook, Allen Devine, James Fesh, Robert Griffin, Mary Introne, Robert Matthews, Carolyn Milz, David Pantelakos, Laura Rice, Frederick Sweeney, Joe Tucker, Pamela Weyler, Kenneth Allen, Mary
Borden, David
Chase, Francis
Cushing, Robert
Doucette, Fred
Francese, Paula
Guthrie, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Sherman, Thomas
Sytek, John
Ward, Joanne
Woitkun, Steven

Azarian, Gary
Cahill, Michael
Chirichiello, Brian
Dean-Bailey, Yvonne
Elliott, Robert
Gannon, William
Hagan, Joseph
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Potucek, John
Simpson, Alexis
Thomas, Douglas
Webb, James

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Horrigan, Timothy Pitre, Joseph Southworth, Thomas Verschueren, James Berube, Roger Cheney, Catherine Graham, Robert Kaen, Naida Rollo, Deanna Spang, Judith Wall, Janet Bickford, David Cilley, Jacalyn Gray, James Leeman, Don Schmidt, Peter Stevens, Audrey Wuelper, Kurt

Bixby, Peter DiSesa, Len Hannon, Joseph Mullen, John Smith, Marjorie Treleaven, Susan

SULLIVAN

Cloutier, John Grenier, James Smith, Steven Converse, Larry Irwin, Virginia Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

NAYS - 69 BELKNAP

Aldrich, Glen Spanos, Peter Fisher, Robert Sylvia, Michael Howard, Jr., Raymond Vadney, Herbert

LeBreche, Shari Varney, Peter

CARROLL

Avellani, Lino Wright, Ted Buco, Thomas

Comeau, Ed

Ticehurst, Susan

CHESHIRE

McConnell, James

GRAFTON

Hull, Robert Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Burt, John
Christie, Rick	Coffey, James	Eastman, Eric	Edwards, Elizabeth
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Halstead, Carolyn
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Schleien, Eric	Seidel, Carl	Simmons, Tammy
Zariaki Niek			

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Kuch, Bill
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian			

ROCKINGHAM

Baldasaro, Alfred	Barnes, Arthur	Bush, Carol	Duarte, Joe
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Lundgren, David	Osborne, Jason
Schroadter, Adam	Tasker, Kyle	Vose, Michael	

STRAFFORD

DeLemus, Susan	Groen, Warren	Jones, Laura	Kaczynski, Jr., Thomas

Turcotte, Leonard Whitehouse, Joshua

SULLIVAN

Laware, Thomas

and the committee report was adopted and ordered to third reading.

SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James Grenier for the Majority of Education. This bill, as amended, recognizes the need for alcohol and drug education for the youth of New Hampshire. This bill advises school boards to develop policies authorizing school personnel to provide pupils, parents and legal guardians information relative to existing drug and alcohol counseling and treatment for pupils without a legislative mandate to add additional programs, or services. This bill only requires school districts provide information regarding available programs and services. This bill does not require any specific alcohol and drug prevention program. Parents, school district staff, school board members and other interested local individuals are empowered to collaboratively develop the most age and community appropriate alcohol and drug prevention program for pupils in the school district. Vote 12-3.

Rep. James Verschueren for the Minority of Education. This bill required age-appropriate drug education to pupils from kindergarten through grade 12. That is the sole change to the current law. The amendment changed "shall" to "should" in Section I. Those of us who voted against the amendment did so on multiple grounds. 1) Age-appropriate is insufficient language as classrooms, especially elementary school ones, include children at a range of developmental levels, not age-specific. 2) The bill provides no provision for teacher training. 3) The critical need for parental notification around sensitive curriculum is not addressed. 4) Statutes that "encourage" action weakens the intent of the law.

Majority Amendment (0071h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

- I. Each public school in the state, as part of their health education curriculum, should provide at each grade level age appropriate drug and alcohol education to pupils from kindergarten through grade 12. The school board may authorize the use of an evidence-based prevention program.
- II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires public schools to provide, as part of the school's health education curriculum, age appropriate drug and alcohol education to pupils in kindergarten through grade 12.

Rep. Ladd spoke against.

Majority committee amendment failed.

Rep. Ladd offered floor amendment (0082h).

Floor Amendment (0082h)

Amend the title of the bill by replacing it with the following:

AN ACT encouraging public schools to include drug and alcohol education as part of their health education curriculum.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

- I. Each public school in the state, as part of their health education curriculum, should provide at each grade level age appropriate drug and alcohol education to pupils from kindergarten through grade 12. The school board may authorize the use of an evidence-based prevention program.
- II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill encourages public schools to provide, as part of the school's health education curriculum, age appropriate drug and alcohol education to pupils in kindergarten through grade 12.

Rep. Verschueren spoke against.

Aldrich, Glen

Flanders, Donald

LeBreche, Shari

Rep. Gorman spoke against and yielded to questions.

Rep. Ladd spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 196 NAYS 150

YEAS - 196 BELKNAP

Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin	Vadnev, Herbert	Varney, Peter

Sylvia, Michael Tilton, Franklin Vadney, CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

COOS					
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon		
GRAFTON					
Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond		
Hull, Robert	Johnson, Eric	Ladd, Rick	Shackett, Jeffrey		
HILLSBOROUGH					
Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard		
Belanger, James	Biggie, Barbara	Boehm, Ralph	Byron, Frank		
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David		
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric		
Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart	Gagne, Larry		
Gould, Linda	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn		
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary		
Infantine, William	Kurk, Neal	Lachance, Joseph	LeBrun, Donald		
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh		
Murotake, David	Murphy, Keith	Notter, Jeanine	Ober, Lynne		
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony		
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly		
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric		
Seidel, Carl	Shaw, Barbara	Simmons, Tammy	Souza, Kathleen		
Straight, Phillip	Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan		
Wolf, Terry	Zaricki, Nick				
	ME	RRIMACK			
Brewster, Michael	French, Harold	Hess, David	Hill, Gregory		
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank		
Kuch, Bill	Martin, John	McGuire, Carol	McGuire, Dan		
Seaworth, Brian	Walsh, Thomas	modulo, outor	modulo, bull		
ROCKINGHAM					
Ahromi Botriok			American Com-		
Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary		
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol		
Cardon, G. Thomas Dean-Bailey, Yvonne	Chase, Francis DeSimone, Debra	Chirichiello, Brian	Cook, Allen		
Duarte, Joe	Elliott, Robert	Devine, James Emerick, J. Tracy	Doucette, Fred Fesh, Robert		
Gannon, William	Gordon, Richard	Green, Dennis			
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Griffin, Mary		
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Hodgdon, Bruce Katsakiores, Phyllis		
Lundgren, David	Manning, John	Matthews, Carolyn	McKinney, Betsy		
McMahon, Charles	Milz, David	O'Connor, John	Oligny, Jeffrey		
Osborne, Jason	Potucek, John	Schroadter, Adam	Spillane, James		
•	· ·				
Sweeney, Joe True, Chris	Sytek, John Tucker, Pamela	Tasker, Kyle	Thomas, Douglas		
		Vose, Michael	Ward, Joanne		
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven		
STRAFFORD					
Bickford, David	Cheney, Catherine	DeLemus, Susan	Graham, Robert		
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura		
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Pitre, Joseph		
Stevens, Audrey	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt		
	SU	JLLIVAN			

NAYS - 150 CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Ames, Richard Abbott, Michael Berch, Paul Bordenet, John Mann, John Chase, Cynthia Eaton, Daniel Parkhurst, Henry Pearson, William Phillips, Larry Roberts, Kris Robertson, Timothy Sad. Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Froburg, Alethea Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel. Richard Almy, Susan Bennett, Travis Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Smith, Suzanne Townsend, Charles Sykes, George White, Andrew

HILLSBOROUGH

Backus, Robert Baroody, Benjamin Beaulieu, Jane Booras, Efstathia Brown, Pamela Burt, John Christiansen, Lars Cohen, Alan Cornell, Patricia Cote, David DiSilvestro, Linda Edwards, Elizabeth Forest, Armand Freitas, Mary Golev, Jeffrey Gorman, Marv Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Jack, Martin Jeudy, Jean Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael Porter, Marjorie Roberts, Carol Rosenwald, Cindy Shattuck, Gilman Smith, Timothy Snow, Kendall Soucy, Timothy Takesian, Charlene Vann, Ivy Walsh, Robert Williams, Kermit Woodbury, David

MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June French, Barbara Gile, Marv Hirsch, Geoffrey Karrick, David Kenison, Linda Luneau, David MacKay, James Marple, Richard Moffett, Howard Myler, Mel Parent, Jason Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert Francese, Paula Gordon, Pamela Kappler, Lawrence Lovejoy, Patricia McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Peckham, Michele Prudhomme-O'Brien, Katherine Rice, Frederick Sherman, Thomas Simpson, Alexis

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gardner, Janice Horrigan, Timothy Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Oxenham, Lee Schmidt, Andrew

and floor amendment (0082h) was adopted.

Wheeler, Deborah

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Brewster spoke against.

Rep. Grenier spoke in favor.

Majority committee report adopted and ordered to third reading.

RESOLUTION

Reps. Hinch and Shurtleff offered the following: RESOLVED, that Senate Bills numbered 369, 447 and 576 be read by titles only and that they be read a third time by this resolution, and that their titles be the same as adopted, and that they be passed at the present time.

Third Reading and Final Passage

SB 447-FN, establishing a commission to study Narcan.

SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs.

SB 369-FN, encouraging public schools to include drug and alcohol education as part of their health education curriculum.

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair) MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 630-FN-A**, establishing the New Hampshire video lottery, and **CACR 2**, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund, be made Special Orders immediately following the Special Guest presentation. Motion adopted.

REGULAR CALENDAR CONT'D

HB 280, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans. OUGHT TO PASS WITH AMENDMENT.

Rep. Thomas Walsh for Transportation. This bill as amended replaces the proposed study committee and creates specialty plates for veterans and non-profit organizations using a decal plate format. The decal plate is acquired from the Department of Motor Vehicles. The decals for military branch, etc. can then be purchased from the State Office of Veterans Services for veterans decal plates, or from the non-profit organizations that are approved (by the legislature) for standard decal plates. The last part of the bill creates a motorcycle plate for disabled veterans. The requests for these types of plates have had to be denied for years due to cost. This program solves that problem and has the support of the Department of Safety. Vote 15-0.

Amendment (2556h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapters; Multi-Use Decal Plates. Amend RSA by inserting after chapter 261-A the following new chapters:

CHAPTER 261-B

MULTI-USE DECAL PLATES

261-B:1 MULTI-Use Decal Plates Authorized. The department of safety shall issue multi-use decal plates. The design shall provide an area 3 inches by 3 inches for the placement of a decal representing an organization authorized under RSA 261-B:3. Except as otherwise provided in this chapter, multi-use decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use number plates shall retain the "live free or die" logo.

261-B:2 Decals.

- I. Decals shall be made of nonreflectorized material and manufactured to maintain their visibility for a minimum of 36 months.
 - II. Decals may only be placed on multi-use decal plates issued pursuant to this chapter.
 - III. Decals shall be distributed by organizations authorized under RSA 261-B:3.
 - IV. Decals shall include a unique sequence number.
 - V. The authorized organization may collect a fee for the decal.
 - 261-B: 3 Authorized Organizations.
- I. Organizations that have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) are eligible to participate in the multi-use decal number plate program. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:
 - (a) Address of the organization's headquarters.
 - (b) Name, address, and telephone number of the coordinator of the organization's decal program.
 - (c) A sample of the decal to be issued.
- (d) A statement verifying that the images used in the decals do not infringe on any other person's intellectual property or a release from the owner authorizing the use of the images.
- (e) A list of persons receiving decals from the organization and the sequence number assigned to each person.
 - (f) Fees received by the organization and their distribution.
- (g) Verification of the organization's continuing status as a tax-exempt organization under 26 U.S.C. section 501(c)(3).
 - (h) A statement that the organization will continue to participate in the program.
- II. An organization may end its participation in the multi-use decal number plate program by written notification to the director of motor vehicles and filing a final annual report within 30 days of the notification.
- III. Participation in the multi-use decal number plate program shall terminate automatically if the organization fails to file its annual report under paragraph I or files a report that does not include the statement required by subparagraph I(h).
- IV. A person displaying the decal of an organization that is no longer participating in the program on a multi-use decal number plate may continue to display the decal until the next expiration of the vehicle's registration.
- V. Organizations shall allow a purchaser of a decal to purchase a new decal no less frequently than every 36 months.
 - 261-B: 4 Issuance and Renewal; Fees.
- I. The fee for multi-use decal number plates shall be \$15 per year per set, which shall be in addition to any other registration and number plate fees. This fee shall not be prorated.
- II. The commissioner of the department of safety shall deposit \$5 from each fee collected under paragraph I in the department of safety inventory fund established by RSA 228:25. The remainder shall be deposited in the highway fund.
- 261-B: 5 Vehicles Eligible. Multi-use decal number plates may be used on passenger motor vehicles and recreation vehicles.
- 261-B: 6 Misuse of Decals. Only decals issued by organizations authorized under this chapter may be displayed on multi-use decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.
- 261-B:7 Change of Decals. The holder of a multi-use decal number plate may replace a decal with a decal from a different authorized organization.
- 261-B:8 Rulemaking. The commissioner of the department of safety shall adopt rules pursuant to RSA 541-A relative to the administration of the multi-use decal number plate program.

CHAPTER 261-C

MULTI-USE VETERANS DECAL PLATES

261-C:1 Multi-Use Veterans Decal Plates Authorized. The department of safety shall issue multi-use veterans decal plates. The design shall provide an area 3 inches by 3 inches for the placement of decals representing branches of service and medals authorized under RSA 261-C:4. Except as otherwise provided in this chapter, multi-use veterans decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use veterans decal plates shall retain the "live free or die" logo.

261-C:2 Decals.

- I. Decals shall be made of nonreflectorized material and manufactured to maintain their visibility for a minimum of 36 months.
 - II. Decals shall include a unique sequence number.
- III. The state office of veterans services may issue decals to eligible veterans and shall collect a fee of \$10 for the decal.
- 261-C:3 Eligibility. Multi-use veterans decal plates shall be issued only to those veterans defined in RSA 21:50, I(a). Additionally, an individual shall demonstrate to the satisfaction of the director of the state office of veterans services that he or she was a member of a specific branch of service or was awarded the medal represented on the requested decal.
 - 261-C:4 Authorized Decals.
 - I. The following decals shall be issued in accordance with this chapter:
 - (a) Branch of service:
 - (1) United States Army.
 - (2) United States Navy.
 - (3) United States Air Force.
 - (4) United States Marine Corps.
 - (5) United States Coast Guard.
 - (b) Medal for Valor:
 - (1) Medal of Honor.
 - (2) Distinguished Service Cross.
 - (3) Navy Cross.
 - (4) Air Force Cross.
 - (5) Silver Star.
 - (6) Bronze Star.
- II. The state office of veterans services shall provide a report annually to the director of the division of motor vehicles. Such report shall contain the names of veterans to whom decal or decals were issued, indicating which decal was issued and its issue number.
- III. Eligible veterans shall obtain new decals no less frequently than 36 months from the date of issue.
- 261-C:5 Vehicles Eligible. Multi-use veterans decal number plates may be used on passenger motor vehicles and recreation vehicles.
- 261-C:6 Misuse of Decals. Only decals authorized under this chapter may be displayed on multiuse veterans decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.
- 261-C:7 Rulemaking. The commissioner of the department of safety in consultation with the director of the state office of veterans services shall adopt rules pursuant to RSA 541-A relative to the administration of the multi-use veterans decal number plate program.
 - 2 Disabled Veterans; Motorcycle Plates. Amend RSA 261:86, II to read as follows:
- II. Plates furnished pursuant to subparagraphs I(a)-(c) shall be issued without charge. Plates furnished pursuant to subparagraphs I(d) and (e) shall be issued without the \$4 per plate fees under RSA 261:75 but shall require payment of the regular registration fee. Notwithstanding RSA 265:73 or any other law, any person who is issued a plate pursuant to subparagraphs I(c)-(e) shall not be entitled to free parking privileges for disabled veterans[, except that]. A person who qualifies for special plates pursuant to subparagraph I(a) or subparagraph I(d) may be issued an additional plate for a motorcycle.
 - 3 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill authorizes multi-use decal number plates and participation by the tax-exempt organizations to issue decals.

This bill authorizes multi-use veterans decal number plates and the issuance of decals by the state office of veterans services.

This bill allows a person who is eligible for a special number plate for disabled veterans to be issued an additional special number plate for a motorcycle.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Steven Smith offered floor amendment (3029h).

Floor Amendment (3029h)

Amend RSA 261-B:1 as inserted by section 1 of the bill by replacing it with the following:

261-B:1 Multi-Use Decal Plates Authorized. The department of safety shall issue multi-use decal plates. The design shall provide an area 3 inches by 3 inches for the placement of a decal representing an organization authorized by statute to issue decals. Except as otherwise provided in this chapter, multi-use decal plates shall have the same effect and be issued in the same manner as other number plates. Multi-use number plates shall retain the "live free or die" logo.

Amend RSA 261-B:2, III as inserted by section 1 of the bill by replacing it with the following:

III. Decals shall be distributed by organizations authorized by statute.

Amend the introductory paragraph of RSA 261-B:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Organizations that have statutory authority to issue decals shall have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) to participate in the multi-use decal number plate program. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:

Amend RSA 261-B:6 as inserted by section 1 of the bill by replacing it with the following:

261-B:6 Misuse of Decals. Only decals issued by organizations authorized by statute may be displayed on multi-use decal number plates. Use of an unauthorized decal shall be a violation punishable by a fine of \$50 plus penalty assessment.

AMENDED ANALYSIS

This bill authorizes multi-use decal number plates which may bear decals issued by tax-exempt organizations authorized by statute.

This bill authorizes multi-use veterans decal number plates and the issuance of decals by the state office of veterans services.

This bill allows a person who is eligible for a special number plate for disabled veterans to be issued an additional special number plate for a motorcycle.

Rep. Steven Smith spoke in favor.

Floor amendment (3029h) adopted.

Committee report adopted and referred to the Committee on Finance.

HB 586-FN-L, relative to registration of automobile utility trailers. OUGHT TO PASS WITH AMENDMENT.

Rep. Werner Horn for Transportation. This legislation establishes a business model under which automobile utility trailer registrations are accomplished via on-line access for out of state and New Hampshire residents. The amendment clarifies operating standards for nongovernmental registering trailer agents and requires the remittance of fees to the applicable town or city clerk for processing resident registrations. Vote 8-3.

Amendment (2485h)

Amend the bill by replacing sections 2-3 with the following:

2 New Subdivision; Registrations by Nongovernmental Registering Trailer Agents. Amend RSA 261 by inserting after section 74-s the following new subdivision:

Registrations by Nongovernmental Registering Trailer Agents

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Automobile utility trailer registrations may be issued, renewed, or transferred through non-governmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;

- (4) Legal address;
- (5) Mailing address;
- (6) Telephone number;
- (7) Business hours;
- (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
 - (9) Name of the person who will be responsible for filing monthly reports;
- (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and
 - (11) Signature and title of the person identified in subparagraph (8) and date signed.
- (b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.
- (2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.
 - (3) At the interview, the director or his or her designee shall:
 - (A) Explain any discrepancy or concerns to the applicant.
 - (B) Answer any questions that the applicant may have about the process.
- (C) Allow the applicant to make corrections to the application or address any concerns expressed.
- (4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.
- (5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.
 - (c) In order to be appointed as a trailer agent by the director, each applicant shall:
 - (1) Complete the application.
 - (2) Complete the training requirements.
 - (3) Complete an interview if applicable.
 - (4) Obtain a surety bond.
- (5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.
 - (6) Agree to keep current with forms and software as determined by the department.
 - (d) Trailer agents:
- (1) Shall furnish registration information concerning vehicle information as the director may require.
 - (2) Collect fees.
 - (3) Issue registrations.
- (4) Submit monthly reports to the department and to each city and town clerk for which municipal permit fees are collected and remitted by the manner and in the form as the director may prescribe.
- (e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:
 - (A) Date of registration.
 - (B) Full name of the registrant.
 - (C) Identifying number.
 - (D) Address and phone number of record.
 - (2) The trailer agent shall maintain all records for a period of 15 years.
- (f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.
 - (2) The training program shall include the following instruction:
- (A) Completing a trailer registration using either online equipment furnished by the department or offline equipment including forms and tables furnished by the department.
 - (B) Filing monthly reports.
 - (C) Collecting trailer registration and municipal permit fees.

- (D) Maintaining records.
- (E) Retaining the agent fee.
- (F) Posting office hours.
- (g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.
- (2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:
 - (A) Repeat the training program.
 - (B) Repeat any portion of the training program.
 - (C) Undergo further training, the substance of which shall be determined by the department.
- (h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.
- (i)(1) Each trailer agent shall mail a monthly report to the tax collector of all municipalities where a New Hampshire resident lives that registered a trailer with that agent. The trailer agent shall send a copy of the monthly report to the department.
- (2) Each trailer agent shall mail a monthly report of nonresident registrations to the department containing:
 - (A) The physical address and telephone number where the trailer agent is located;
 - (B) Period the report begins and ends;
 - (C) Number of trailers registered; and
 - (D) Amount of registration fee collected.
- (3) The monthly reports shall be submitted along with all fees due to the department or the municipality in the form of a check or money order.
- (j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.
- II. A nonresident may register an automobile utility trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for automobile utility trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.
 - 261:74-u Fees; Multiyear Registrations.
- I. A nongovernmental registering trailer agent may collect and retain a fee for each registration processed as compensation for processing the registration.
- II. The nongovernmental registering trailer agent shall collect and remit to the department the registration fee established in RSA 261:141, III(j). Automobile utility trailers owned by nonresidents of New Hampshire registered under this subdivision shall not require a municipal permit for registration and shall not be subject to any municipal fees. When a trailer agent processes a registration for a New Hampshire resident, the agent shall collect and forward to the applicable town or city clerk the registration permit fee under RSA 261:153, I due for that year.
- III. Persons may register automobile utility trailers for up to 10 years through a trailer agent. Multiyear registrations for automobile utility trailers shall be subject to the following discounted fees:
 - (a) One year: no discount.
 - (b) Two years: 2 times the annual fee.
 - (c) Three years: 2.75 times the annual fee.
 - (d) Four years: 3.25 times the annual fee.
 - (e) Five years: 4.25 times the annual fee.
 - (f) Ten years: 8 times the annual fee.
 - 261:74-v Revocation of Agency Status.
- I. If the director determines that a trailer agent has not continued to fulfill the requirements of RSA 261:74-t or has violated any of the rules adopted pursuant to RSA 261:74-w, the director shall commence the procedure established in paragraph II.
- II. Any trailer agent whose appointment is sought to be revoked shall be afforded the opportunity of a hearing before the director or designee prior to such revocation. Following the hearing, the director may revoke the appointment as a trailer agent upon satisfactory evidence that the provisions of this subdivision have been violated and that the revocation is in the best interest of the state. A written statement outlining the evidence and violations shall accompany the revocation.

III. Upon the revocation of such agency, the person shall surrender to the department or its authorized agent all materials issued by the state under the provisions of this subdivision and all

records pertaining to all matters authorized by this subdivision.

IV. Whenever an authorized auditor of the department, with the approval of the commissioner, determines that the public interest requires immediate action, the director may issue a temporary order suspending the authority of a nongovernmental registering trailer agent to issue, renew, or transfer registrations, pending a hearing.

261:74-w Rulemaking. The director shall adopt rules pursuant to RSA 541-A relative to applica-

tion forms for appointment as a nongovernmental registering trailer agent.

3 Surety Bonds. Amend the introductory paragraph of RSA 41:6, I to read as follows:

I. Town treasurers, trustees as provided in RSA 31:22 and [23] RSA 31:23, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, nongovernmental registering trailer agents appointed under RSA 261:74-t, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

4 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill:

- I. Authorizes registration of automobile utility trailers through nongovernmental agents of the department of safety.
 - II. Authorizes multiyear registrations through those agents.
 - III. Provides discounts on fees for multiyear registrations.
- IV. Allows registrations through the agents by nonresidents for automobile utility trailers not garaged exclusively in this state.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Ways and Means.

HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Don Leeman for the Majority of Ways and Means. The purpose of this bill is to extend the property tax exemption program in Coos County to municipalities in Carroll County for 5 years. This allows them to offer property tax exemptions to foster commercial and industrial construction. The amendment extends this option to all cities and towns in New Hampshire. Vote 17-2.

Rep. Susan Almy for the Minority of Ways and Means. The effect of this bill as amended is to remove the existing incentive to draw businesses to Coos County, the poorest county in the state, and to remove the incentive the bill sponsors sought to allow Carroll County to join Coos' program. The incentive has proved inadequate to draw substantial business to counties that are under endowed with adequate transportation and broad band.

Majority Amendment (2408h)

Amend the title of the bill by replacing it with the following:

AN ACT allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

Amend the bill by replacing all after the enacting clause with the following:

1 Property Taxation; Commercial and Industrial Construction Exemption; Change to Statewide. Amend RSA 72:75, I(b) to read as follows:

(b) "Eligible municipality" shall mean any city or town [in Coos county].

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill extends the property tax exemption currently available only in Coos county to all municipalities in the state to foster commercial and industrial construction.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 552-FN, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. David Karrick for the Majority of Ways and Means. While consideration of accepting bitcoin as payment for taxes and fees to the State of New Hampshire is an interesting idea it is felt that if there is a serious problem with bitcoin or other proto currencies it would reflect poorly on the state even if the state was not at risk. Vote 13-4.

Rep. Susan Almy for the Minority of Ways and Means. This bill was rewritten to ensure that all the risk associated with bitcoin lies where it belongs, with the person who owes taxes or fees to the state and the bitcoin processor whom he contracts with to pay dollars to the state. The Treasurer provided strictures which have been met. The bitcoin concept is highly attractive to many of the young entrepreneurs we need to retain or attract to New Hampshire. The minority does not commit to ever using bitcoin itself, but believes it should be an option as long as the state receives payments only in US dollars and bears none of the risk of this volatile asset.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Schleien spoke against and yielded to questions.

Reps. Timothy Smith, Ohm and Karrick spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 264 NAYS 74

YEA	S -	264
BEL	KN	AP

Dumais, Russell	Fields, Dennis
Hurt, George	LeBreche, Shari
Tilton, Franklin	Vadney, Herbert

Vadney, Herbert

Flanders, Donald Luther, Robert Varney, Peter

Howard, Jr., Raymond Spanos, Peter

CARROLL

Buco, Thomas Crawford, Karel Schmidt, Stephen

Butler, Edward McCarthy, Frank Ticehurst, Susan Chandler, Gene Nelson, Bill Umberger, Karen

Cordelli, Glenn Parker, Harold

CHESHIRE

Abbott, Michael Eaton, Daniel Pearson, William Shepardson, Marjorie Ames, Richard Hunt, John Phillips, Larry Tatro, Bruce

Berch, Paul Mann, John Robertson, Timothy Weber, Lucy

Bordenet, John Parkhurst, Henry Sad. Tara

COOS

Fothergill, John Rideout, Leon

Movnihan, Wavne Theberge, Robert

Rappaport, Laurence Tholl, John

Richardson, Herbert

GRAFTON

Abel, Richard Brown, Rebecca Gionet, Edmond Maes, Kevin Townsend, Charles

Bailey, Brad Cooney, Mary Hennessey, Martha Massimilla, Linda White, Andrew

Bennett, Travis Darrow, Stephen Higgins, Patricia Smith, Suzanne

Brown, Duane Ford, Susan Ladd, Rick Sykes, George

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Booras, Efstathia Christie, Rick Cote, David Forest, Armand

Gorman, Marv

Balcom, John Belanger, James Brown, Pamela Coffey, James Danielson, David Freitas, Mary Gould, Linda

Baroody, Benjamin Biggie, Barbara Byron, Frank Cohen, Alan DiSilvestro, Linda Gagne, Larry Griffin, Barbara

Barry, Richard Boehm, Ralph Christiansen, Lars Cornell, Patricia Flanagan, Jack Goley, Jeffrey Haefner, Robert

Hansberry, Daniel Hinch, Richard Kurk, Neal Mangipudi, Latha O'Brien, Michael Pellegrino, Anthony Roberts, Carol Shattuck, Gilman Soucy, Timothy Twombly, Timothy Williams, Kermit

Hansen, Peter Hogan, Edith LeBrun, Donald Manley, Jonathan Ober, Lynne Peterson, Ken Rosenwald, Cindy Shaw, Barbara Souza, Kathleen Ulery, Jordan Wolf, Terry

Heath, Mary Jack, Martin Leishman, Peter McCarthy, Peggy Ohm. Bill Pierce, David Rouillard, Claire Smith, Timothy Straight, Phillip Vann, Ivv Woodbury, David

Herbert, Christopher Jeudy, Jean Long, Patrick McNamara, Richard Palmer, Barry Rice, Kimberly Seidel, Carl Snow, Kendall Takesian, Charlene Walsh, Robert

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Henle, Paul Karrick, David Kuch, Bill Moffett, Howard Rogers, Katherine Turcotte, Alan

Bartlett, Christy Deloge, Helen French, Barbara Hess. David Kenison, Linda Luneau, David Myler, Mel Saunderson, George Walsh, Thomas

Bradley, Paula Doherty, David French, Harold Hirsch, Geoffrey Kidder, David MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah Brewster, Michael Ebel, Karen Gile, Mary Horn, Werner Kotowski, Frank Marple, Richard Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Cahill, Michael Cushing, Robert Doucette, Fred Fesh, Robert Gordon, Richard Hagan, Joseph Introne, Robert Lovejoy, Patricia McKinney, Betsy O'Connor, John

Prudhomme-O'Brien, Katherine Sytek, John Ward, Joanne

Allen, Mary Bates, David Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Duarte, Joe Francese, Paula Green, Dennis Harris, Jeffrey Itse. Daniel Manning, John McMahon, Charles Pantelakos, Laura Rice. Frederick Thomas, Douglas Webb, James

Azarian, Gary Berrien, Skip Cardon, G. Thomas DeSimone, Debra Elliott, Robert Gannon, William Griffin, Mary Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Milz. David Peckham, Michele Sherman, Thomas True, Chris Welch, David

Baldasaro, Alfred Borden, David Christie, Andrew Devine, James Emerick, J. Tracy Gordon, Pameia Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis McBeath, Rebecca Nigrello, Robert Potucek, John Sweeney, Joe Tucker, Pamela Weyler, Kenneth

Bixby, Peter

Kaen, Naida

Wall, Janet

Rollo, Deanna

Stevens, Audrey

Gardner, Janice

Baber, William Burton, Wayne Graham, Robert Leeman, Don Schmidt, Peter Treleaven, Susan Wuelper, Kurt

Woitkun, Steven

Cloutier, John Irwin, Virginia Schmidt, Andrew

STRAFFORD Berube, Roger Cheney, Catherine Gray, James Mullen, John Southworth, Thomas Turcotte, Leonard

Gagnon, Raymond Laware, Thomas Smith, Steven

DeLemus, Susan Horrigan, Timothy Pitre, Joseph Spang, Judith Verschueren, James

Bickford, David

SULLIVAN

Grenier, James Gottling, Suzanne Rollins, Skip Oxenham, Lee

NAYS - 74 BELKNAP

Fisher, Robert Aldrich, Glen

Fraser, Valerie

Sylvia, Michael

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Avellani, Lino Comeau, Ed Wright, Ted

CHESHIRE

McConnell, James Roberts, Kris Sterling, Franklin Tilton, Benjamin

COOS

Thomas, Yvonne

GRAFTON

Almy, Susan Hull, Robert Ingbretson, Paul Johnson, Eric

Piper, Wendy Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Burt, John Donovan, Daniel Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Guerette, C. Lee Haistead, Carolyn Harvey, Suzanne Hopper, Gary Infantine, William Katsiantonis, Thomas Lachance, Joseph McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Russell Parison, James Proulx, Mark Sanborn, Laurie Schleien, Eric Simmons, Tammy Smith, Gregory Sullivan, Victoria Zaricki, Nick

MERRIMACK

Hill, Gregory Hoell, J.R. Martin, John McGuire, Carol McGuire, Dan Rice, Chip Seaworth, Brian

ROCKINGHAM

Abramson, Max Chase, Francis Chirichiello, Brian Cook, Allen
Lundgren, David Oligny, Jeffrey Osborne, Jason Schroadter, Adam
Simpson, Alexis Spillane, James Tasker, Kyle Vose, Michael

STRAFFORD

Cilley, Jacalyn Groen, Warren Hannon, Joseph Jones, Laura

Kaczynski, Jr., Thomas

SULLIVAN

Converse, Larry

and the majority committee report was adopted.

INTRODUCTION OF SPECIAL GUEST

The Honorable Chris Christie, Governor of the State of New Jersey, addressed the House.

REGULAR CALENDAR CONT'D

SPECIAL ORDER

HB 630-FN-A, establishing the New Hampshire video lottery. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Paul Henle for the Majority of Ways and Means. This legislation would allow establishments with a liquor license in the state to install and operate up to six video lottery machines (slot machines). This would be an unprecedented expansion of gambling in New Hampshire. It would have all of the negatives associated with casino gambling and very few of the positives. One of the arguments for allowing one or two casinos in the state was that it would promote economic activity in the vicinity of the casino. None of that would happen if this bill is enacted. Nobody is going to build a hotel next to a restaurant just because it has six slot machines. The bill does not create any new jobs; it has the potential to harm tourism; and it offers an inconsistent revenue stream. The issue of problem gambling is exacerbated by the wide distribution of the machines. Restricting the machines to one or two facilities enables both the casino operators and the state to monitor their use and identify problem gamblers early. Interventions can then

be made to ward off the dire effects that problem gambling can have on individuals, families and local economies. Under this bill that would not be possible. It would be all too easy for a problem gambler to go undetected until it was too late and irreparable harm had been done. In 2013 and 2014 the House rejected bills that would have allowed video lottery machines in six locations. It has shown no interest in spreading this kind of gambling willy-nilly around the state. Vote 12-7.

Rep. Joseph Lachance for the Minority of Ways and Means. This legislation expands the NH Lottery to include video lottery machines. On-premise liquor licensees (restaurants, bars, clubs, etc.) would be able to license up to six machines per location and machines must be kept in a room not visible or accessible to those under 21. The machines are centrally monitored at all times by the Lottery Commission's computers. There is a per-machine license fee which pays for the Lottery's expenses and, with a proposed amendment, a treatment fund for problem gambling. There is also a 67% tax on net after-prize income, which is directed to reducing the State Education Property Tax. The expected \$217 million of annual revenue would cut the \$363 million State Education Property Tax more than in half, for a 5% reduction in the typical property tax bill. This is gambling that works with existing small businesses, not against them. Like the original NH Lottery, it is a home-grown system and is not being promoted by lobbyists. Video lottery is very popular in Oregon and South Dakota, the two states with similar systems. In both states video lottery coexists with casinos, so one does not preclude the other. The amendment also provides for the same local opt-in and opt-out as we have for the rest of the NH Lottery. The committee also discussed a possible amendment. This amendment would allow for video lottery terminals to be in veterans and private social clubs only. No action was taken on that amendment at the executive session.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Dan McGuire spoke against and yielded to questions.

Reps. Carol McGuire, Cheney and Kappler spoke against.

Reps. Azarian and Hess spoke in favor.

Rep. Lovejoy spoke in favor and yielded to questions.

Rep. Lachance requested a roll call; sufficiently seconded.

YEAS 200 NAYS 129

YEAS - 200 BELKNAP

Flanders, Donald Spanos, Peter	Fraser, Valerie Tilton, Franklin	Hurt, George	LeBreche, Shari
	CA	ARROLL	
Avellani, Lino McCarthy, Frank Ticehurst, Susan	Buco, Thomas McConkey, Mark	Chandler, Gene Nelson, Bill	Crawford, Karel Parker, Harold
	CH	IESHIRE	
Abbott, Michael Chase, Cynthia Pearson, William Sad, Tara	Ames, Richard Eaton, Daniel Phillips, Larry Shepardson, Marjorie	Berch, Paul Mann, John Roberts, Kris Sterling, Franklin	Bordenet, John Parkhurst, Henry Robertson, Timothy Weber, Lucy
		COOS	
Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Tholl, John
	G	RAFTON	
Abel, Richard Brown, Rebecca Hennessey, Martha Massimilla, Linda Townsend, Charles	Almy, Susan Cooney, Mary Higgins, Patricia Nordgren, Sharon White, Andrew	Bennett, Travis Darrow, Stephen Johnson, Eric Smith, Suzanne	Brown, Duane Ford, Susan Maes, Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Cornell, Patricia Flanagan, Jack Gould, Linda Hansen, Peter Jack, Martin Long, Patrick O'Brien, Michael Rice, Kimberly Shattuck, Gilman Souza, Kathleen Vann, Ivy

Booras, Efstathia Cote, David Gagne, Larry Griffin, Barbara Harvey, Suzanne Jeudy, Jean Mangipudi, Latha Palmer, Barry Roberts, Carol Smith, Timothy Takesian, Charlene Williams, Kermit Christie, Rick Edwards, Elizabeth Gonzalez, Carlos Haefner, Robert Hogan, Edith LeBrun, Donald Manley, Jonathan Pierce, David Rosenwald, Cindy Snow, Kendall Twombly, Timothy Wolf, Terry

Cohen, Alan
Ferreira, Elizabeth
Gorman, Mary
Hansberry, Daniel
Hopper, Gary
Leishman, Peter
McNamara, Richard
Proulx, Mark
Rouillard, Claire
Soucy, Timothy
Ulery, Jordan
Woodbury, David

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Hess, David Kenison, Linda MacKay, James Rice, Chip Wallner, Mary Jane

Bartlett, Christy Deloge, Helen French, Barbara Hill, Gregory Kidder, David Moffett, Howard Saunderson, George Walsh, Thomas Bradley, Paula Doherty, David Gile, Mary Hirsch, Geoffrey Kotowski, Frank Myler, Mel Schuett, Dianne Wheeler, Deborah Brewster, Michael Ebel, Karen Henle, Paul Karrick, David Luneau, David Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Doucette, Fred
Francese, Paula
Guthrie, Joseph
Introne, Robert
McBeath, Rebecca
Osborne, Jason
Sytek, John
Welch, David

Azarian, Gary Borden, David Christie, Andrew Duarte, Joe Gordon, Pamela Hagan, Joseph Kappler, Lawrence McMahon, Charles Pantelakos, Laura Vose, Michael Woitkun, Steven Barnes, Arthur Cahill, Michael DeSimone, Debra Elliott, Robert Gordon, Richard Harris, Jeffrey Lovejoy, Patricia Nigrello, Robert Sherman, Thomas Ward, Joanne Bates, David
Cali-Pitts, Jacqueline
Devine, James
Fesh, Robert
Griffin, Mary
Hoelzel, Kathleen
Matthews, Carolyn
Oligny, Jeffrey
Simpson, Alexis
Webb, James

STRAFFORD

Baber, William Burton, Wayne Kaen, Naida Spang, Judith Verschueren, James Berube, Roger Gray, James Rollo, Deanna Stevens, Audrey Wall, Janet

Bickford, David Groen, Warren Schmidt, Peter Treleaven, Susan Wuelper, Kurt Bixby, Peter Horrigan, Timothy Southworth, Thomas Turcotte, Leonard

SULLIVAN

Gagnon, Raymond Laware, Thomas Gottling, Suzanne Oxenham, Lee Grenier, James Schmidt, Andrew Irwin, Virginia

NAYS - 129 BELKNAP

Aldrich, Glen Howard, Jr., Raymond Dumais, Russell Sylvia, Michael Fields, Dennis Vadney, Herbert Fisher, Robert Varney, Peter

CARROLL

Butler, Edward Umberger, Karen Comeau, Ed Wright, Ted Cordelli, Glenn

Schmidt, Stephen

CHESHIRE

Hunt, John McConnell, James Tatro, Bruce Tilton, Benjamin

COOS

Richardson, Herbert Rideout, Leon Theberge, Robert Thomas, Yvonne

GRAFTON

Bailey, Brad Gionet, Edmond Hull, Robert Ingbretson, Paul

Piper, Wendy Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Baroody, Benjamin Boehm, Ralph Biggie, Barbara Beaulieu, Jane Belanger, James Burt, John Byron, Frank Coffey, James Brown, Pamela Eastman, Eric Donovan, Daniel Danielson, David DiSilvestro, Linda Forest, Armand Freitas, Marv Edelblut, Frank Estevez, Eric Halstead, Carolyn Heath, Marv Fromuth, Bart Goley, Jeffrey Katsiantonis, Thomas Kurk, Neal Lachance, Joseph Herbert, Christopher Moore, Josh Murphy, Keith McLean, Mark McCarthy, Peggy Ober, Russell Ohm, Bill Notter, Jeanine Ober, Lynne Sanborn, Laurie Peterson, Ken Parison, James Pellegrino, Anthony Simmons, Tammy Seidel, Carl Shaw, Barbara Schleien, Eric Sullivan, Victoria Walsh, Robert Zaricki, Nick Straight, Phillip

MERRIMACK

French, Harold Hoell, J.R. Horn, Werner Kuch, Bill
Marple, Richard Martin, John McGuire, Carol McGuire, Dan
Patten, Dick Rogers, Katherine Seaworth, Brian Turcotte, Alan

ROCKINGHAM

Baldasaro, Alfred Chase, Francis Abramson, Max Allen, Mary Dean-Bailey, Yvonne Cushing, Robert Chirichiello, Brian Cook, Allen Hodgdon, Bruce Itse, Daniel Emerick, J. Tracy Gannon, William McKinney, Betsy Milz, David Manning, John Katsakiores, Phyllis Rice. Frederick O'Connor, John Peckham, Michele Potucek, John Thomas, Douglas Sweeney, Joe Schroadter, Adam Spillane, James Weyler, Kenneth Tucker, Pamela True, Chris

STRAFFORD

Cheney, Catherine Cilley, Jacalyn DeLemus, Susan Graham, Robert Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Pitre, Joseph

SULLIVAN

Cloutier, John Converse, Larry Rollins, Skip Smith, Steven and the majority committee report was adopted.

SPECIAL ORDER

CACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. INEXPEDIENT TO LEGISLATE.

Rep. David Hess for Ways and Means. The intent of this proposed constitutional amendment is to require that revenues from so called "dedicated funds" be spent only on those designated special programs unless the General Court, by two-thirds majorities in both chambers, votes to divert those revenues and spend them on other programs. While this goal is laudable, the committee concluded that adding this provision to our constitution would have a number of anomalous and adverse, unintended consequences. First it would require super majority votes to redirect dedicated funds which had been created in the first instance by simple majority votes. Second it would significantly

limit the flexibility of future legislatures to address fiscal crises by temporarily reordering financial priorities. Experience in many other states with constitutionally—mandated super majorities to raise revenues and/or make appropriations has been anything but positive. Finally, were this to be in our constitution, it would require a two-thirds vote to divert funds from a dedicated fund, but allow the legislature to get access to the same funds by a simple majority vote eliminating the fund. Vote 19-0.

Rep. Hoell spoke against. Rep. Hess spoke in favor.

Rep. Leeman requested a roll call; sufficiently seconded.

YEAS 234 NAYS 90

YEAS - 234 BELKNAP

		CARROLL	
Hurt, George	LeBreche, Shari	Spanos, Peter	Tilton, Franklin
Fields, Dennis	Fisher, Robert	Flanders, Donald	Fraser, Valerie

Dutler Edward Chard

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy	•	•

COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Ingbretson, Paul	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White Andrew	,

HILLSBOROUGH

		D_ 0110 0 011	
Adams, Christopher	Backus, Robert	Balcom, John	Baroody, Benjamin
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Booras, Efstathia
Brown, Pamela	Byron, Frank	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Edwards, Elizabeth	Estevez, Eric	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Jack, Martin
Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McNamara, Richard	O'Brien, Michael
Ober, Russell	Palmer, Barry	Pellegrino, Anthony	Pierce, David
Proulx, Mark	Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Souza, Kathleen	Straight, Phillip
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David	•	-,

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey Kotowski, Frank Marple, Richard Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Doherty, David French, Harold Karrick, David Kuch, Bill McGuire, Dan Ratzki, Mario Schuett, Dianne Walsh, Thomas

Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda Luneau, David Moffett, Howard Rice, Chip Shurtleff, Stephen

Wheeler, Deborah

Carson, Clyde Frazer, June Hess, David Kidder, David MacKay, James Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Borden, David Chase, Francis DeSimone, Debra Fesh, Robert Guthrie, Joseph Introne, Robert Manning, John Milz, David Peckham, Michele Sweeney, Joe Webb, James Allen, Mary
Cahill, Michael
Christie, Andrew
Devine, James
Francese, Paula
Hagan, Joseph
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Potucek, John
Sytek, John
Welch, David

Azarian, Gary
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Gordon, Pamela
Harris, Jeffrey
Katsakiores, Phyllis
McKinney, Betsy
O'Connor, John
Sherman, Thomas
Vose, Michael
Weyler, Kenneth

Berrien, Skip Cardon, G. Thomas Dean-Bailey, Yvonne Elliott, Robert Griffin, Mary Hoelzel, Kathleen Lovejoy, Patricia McMahon, Charles Pantelakos, Laura Simpson, Alexis Ward, Joanne Woitkun, Steven

STRAFFORD

Berube, Roger Horrigan, Timothy Rollo, Deanna Treleaven, Susan Bickford, David Kaen, Naida Schmidt, Peter Verschueren, James Burton, Wayne Leeman, Don Southworth, Thomas Wall, Janet Gray, James Mullen, John Stevens, Audrey

SULLIVAN

Cloutier, John Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

Grenier, James

NAYS - 90 BELKNAP

Aldrich, Glen Vadney, Herbert Dumais, Russell Varney, Peter Howard, Jr., Raymond

Svlvia, Michael

CARROLL

Avellani, Lino Comeau, Ed

McCarthy, Frank

Wright, Ted

CHESHIRE

McConnell, James

COOS

Rideout, Leon

Theberge, Robert

GRAFTON

Brown, Duane Johnson, Eric Darrow, Stephen

Gionet, Edmond

Hull, Robert

HILLSBOROUGH

Ammon, Keith Eastman, Eric Hogan, Edith Boehm, Ralph Edelblut, Frank Hopper, Gary Burt, John Ferreira, Elizabeth McLean, Mark Christie, Rick Fromuth, Bart Moore, Josh

Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Peterson, Ken	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Simmons, Tammy	Sullivan, Victoria	Ulery, Jordan	Zaricki, Nick
	MEI	RRIMACK	
Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Martin, John	McGuire, Carol	Seaworth, Brian	
	ROC	KINGHAM	
Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Chirichiello, Brian	Cook, Allen	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Gordon, Richard	Green, Dennis	Hodgdon, Bruce
Itse, Daniel	McBeath, Rebecca	Oligny, Jeffrey	Osborne, Jason
Rice, Frederick	Schroadter, Adam	Spillane, James	Thomas, Douglas
True, Chris	Tucker, Pamela		•
	STR	RAFFORD	
Baber, William	Bixby, Peter	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Pitre, Joseph	Spang, Judith
Turcotte, Leonard	Wuelper, Kurt	· ·	
	CIT	TITVAN	

SULLIVAN

Converse, Larry Irwin, Virginia Laware, Thomas Rollins, Skip

Smith, Steven

and the committee report was adopted.

REGULAR CALENDAR CONT'D

HB 594-FN-A, establishing keno. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Patrick Abrami for the Majority of Ways and Means. This bill calls for the expansion of Lottery by allowing for the introduction of Keno at establishments that pour liquor as defined by the liquor statutes listed in the amendment. Unlike other states, Keno will not be allowed to be played in convenience stores. There is an annual license fee to the establishment of \$500 which goes to the Education Trust Fund. The licensee will retain 8% of sales. The Department of Health and Human Services retains 1% of the remainder for problem gambling intervention. The Lottery Commission takes 2% of sales for administrative costs. Prize payouts will amount to 70% of sales. The balance of the sales revenue goes to the Education Trust Fund. Within two years of passage revenue is estimated to be approximately between \$8-9 million annually. Towns and cities must vote in the affirmative to allow Keno to be played within their municipality. The game of Keno utilizes the same equipment that is utilized for all the other Lottery games and will be monitored centrally at Lottery headquarters, Lottery has the infrastructure in place to easily accommodate this new game. It is well known that all the top revenue establishments in Massachusetts that have Keno are along the New Hampshire southern border which are frequented by many NH citizens. By allowing Keno in NH much of this revenue will be brought back to our state. This will be a win for NH restaurants as well as NH veterans' and other social clubs who want to participate, in addition to being a win for the Education Trust Fund. It also provides a way for our Lottery system to grow and to insure sufficient funds continue to flow into the Education Trust Fund. Keno was voted as the House position in 2014 and once again as the House position when it was voted on the House floor to be added to HB 2 in the original FY 2016-17 budget vote. Keno was also in the original FY 2016-17 budget submitted by the Governor. Vote 12-7. Rep. Mary Cooney for the Minority of Ways and Means. This bill would allow Keno to be played in most establishments that hold a liquor license. One problem that arises is that since Keno is considered a lottery game a player must only be 18 to play, but still 21 to drink alcohol. Keno, as it is played today is on video terminals. For some it is very addictive. Because it is electronic, the games offer many different scenarios with jackpots, roll-overs and multipliers. The minority feels that such addictive terminals should not be located in NH restaurants were children dine with their parents. Massachusetts, where Keno is everywhere lottery is sold, and before any casinos were approved, has some of the highest per capita spending on gambling in the country. NH should not want to join Massachusetts in this dubious distinction.

Majority Amendment (2481h)

Amend RSA 284:45, VI as inserted by section 1 of the bill by replacing it with the following:

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is one of the following:

- (1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II, RSA 178:21, II(a) or (b), or RSA 178:22, V(q).
 - (2) A brew pub holding a valid liquor license under RSA 178:13.

(3) A ballroom holding a valid liquor license under RSA 178:22, V(c).

- (4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).
 - (5) A convention center holding a valid liquor license under RSA 178:22, V(i).
 - (6) A hotel holding a valid liquor license under RSA 178:22, V(k).

(7) A racetrack holding a valid liquor license under RSA 178:22, V(n).

(8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

(b) Document that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(c) Maintain a current list of employees.

Amend RSA 284:45 as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraph:

VII. Any suspension or revocation of a liquor license shall result in the immediate suspension of the keno license issued under this chapter.

Amend RSA 284:51 as inserted by section 1 of the bill by replacing it with the following:

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation

of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of keno games may consider rescinding its action in the manner described in paragraph I of this section.

V. The lottery commission shall maintain a list of municipalities where keno is available. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Cooney spoke against.

Rep. Abrami spoke in favor and yielded to questions.

On a division vote, with 182 members having voted in the affirmative and 137 in the negative, the majority committee report was adopted and ordered to third reading.

MOTION TO REMOVE FROM THE TABLE

Rep. Haefner moved that **HB 372**, relative to certain private employers under workers' compensation, be removed from the table.

Motion adopted.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Haefner spoke in favor. Rep. Bartlett spoke against and requested a roll call; sufficiently seconded.

YEAS 270 NAYS 39

YEAS - 270

	1	EAS - 2/0	
	I	BELKNAP	
Aldrich, Glen Flanders, Donald LeBreche, Shari Vadney, Herbert	Dumais, Russell Fraser, Valerie Spanos, Peter Varney, Peter	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Fisher, Robert Hurt, George Tilton, Franklin
		CARROLL	
Avellani, Lino Comeau, Ed McConkey, Mark Umberger, Karen	Buco, Thomas Cordelli, Glenn Nelson, Bill Wright, Ted	Butler, Edward Crawford, Karel Parker, Harold	Chandler, Gene McCarthy, Frank Schmidt, Stephen
	C	CHESHIRE	
Abbott, Michael Eaton, Daniel Pearson, William Shepardson, Marjorie Weber, Lucy	Ames, Richard Hunt, John Phillips, Larry Sterling, Franklin	Berch, Paul Mann, John Robertson, Timothy Tatro, Bruce	Bordenet, John McConnell, James Sad, Tara Tilton, Benjamin
		COOS	
Fothergill, John Tholl, John	Moynihan, Wayne Thomas, Yvonne	Rappaport, Laurence	Rideout, Leon
	(GRAFTON	
Almy, Susan Darrow, Stephen Hull, Robert Piper, Wendy Townsend, Charles	Bennett, Travis Ford, Susan Johnson, Eric Shackett, Jeffrey	Brown, Duane Gionet, Edmond Massimilla, Linda Smith, Suzanne	Cooney, Mary Higgins, Patricia Nordgren, Sharon Sykes, George

	HILI	SBOROUGH	
Adams, Christopher	Ammon, Keith	Backus, Robert	Baroody, Benjamin
Barry, Richard	Belanger, James	Biggie, Barbara	Boehm, Raiph
Brown, Pamela	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand
Freitas, Mary	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Moore, Josh	Murphy, Keith	Notter, Jeanine	O'Brien, Michael
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Snow, Kendall	Soucy, Timothy	Souza, Kathleen
Straight, Phillip	Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David	Zaricki, Nick		

MERRIMACK

Alicea. Caroletta Bradley, Paula Doherty, David Ebel, Karen Hill, Gregory Hirsch, Geoffrey Karrick, David Kenison, Linda Luneau, David Marple, Richard McGuire, Dan Moffett, Howard Rogers, Katherine Saunderson, George Shurtleff, Stephen Wheeler, Deborah

Brewster, Michael French, Harold Hoell, J.R. Kotowski, Frank Martin, John Myler, Mel Schuett, Dianne Carson, Clyde Henle, Paul Horn, Werner Kuch, Bill McGuire, Carol Ratzki, Mario Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Borden, David Christie, Andrew Devine, James Fesh, Robert Green, Dennis Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Schroadter, Adam Sweeney, Joe Tucker, Pamela Welch, David

Abramson, Max Barnes, Arthur Cali-Pitts, Jacqueline Cook, Allen Duarte, Joe Francese, Paula Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy O'Connor, John Peckham, Michele Sherman, Thomas Sytek, John Vose, Michael Weyler, Kenneth

Allen, Mary Bates, David Chase, Francis Dean-Bailey, Yvonne Elliott, Robert Gannon, William Hagan, Joseph Introne, Robert Lovejoy, Patricia McMahon, Charles Oligny, Jeffrey Potucek, John Simpson, Alexis Thomas, Douglas Ward, Joanne Azarian, Gary Berrien, Skip Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Itse, Daniel Manning, John Milz, David Osborne, Jason Rice, Frederick Spillane, James True, Chris Webb, James

STRAFFORD

Baber, William Burton, Wayne Graham, Robert Jones, Laura Mullen, John Spang, Judith Verschueren, James

Berube, Roger Cheney, Catherine Gray, James Kaczynski, Jr., Thomas Pitre, Joseph Stevens, Audrey Wall, Janet

Bickford, David
DeLemus, Susan
Groen, Warren
IS Kaen, Naida
Rollo, Deanna
Treleaven, Susan
Wuelper, Kurt

Bixby, Peter Gardner, Janice Hannon, Joseph Leeman, Don Schmidt, Peter Turcotte, Leonard

Converse, Larry Irwin, Virginia Smith, Steven

Gagnon, Raymond Laware, Thomas Gottling, Suzanne Oxenham, Lee

Grenier, James Rollins, Skip

NAYS - 39 CARROLL

Ticehurst, Susan

CHESHIRE

Parkhurst, Henry

Roberts, Kris

COOS

Theberge, Robert

GRAFTON

Abel, Richard White, Andrew Brown, Rebecca

Hennessey, Martha

Maes, Kevin

HILLSBOROUGH

Booras, Efstathia Goley, Jeffrey Long, Patrick Shaw, Barbara Cohen, Alan Gorman, Mary McLean, Mark Simmons, Tammy Edwards, Elizabeth Hansberry, Daniel Rosenwald, Cindy Smith, Timothy

Fromuth, Bart Jack, Martin Shattuck, Gilman

MERRIMACK

Bartlett, Christy Deloge, Helen Frazer, June French, Barbara Gile, Mary MacKay, James Rice, Chip Turcotte, Alan

Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael Cushing, Robert Gordon, Pamela McBeath, Rebecca

STRAFFORD

Horrigan, Timothy

SULLIVAN

Cloutier, John

and the majority committee report was adopted and referred to the Committee on Labor, Industrial and Rehabilitative Services.

BILLS REMOVED FROM THE CONSENT CALENDAR OF JANUARY 7, 2016

HB 211, establishing a commission to study domestic affairs. **INEXPEDIENT TO LEGISLATE.** Rep. Kimberly Rice for Children and Family Law. The concerns contained in this bill were incorporated into an amendment to HB 378, therefore making HB 211 unnecessary. Vote 14-1. Committee report adopted.

HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues. OUGHT TO PASS WITH AMENDMENT.

Rep. Debra DeSimone for Children and Family Law. The committee retained 3 study bills, including this bill. The proposed amendment to this bill incorporates issues from the other 2 bills. The amended bill studies the impact of the parental rights statute enacted 10 years ago. It also studies the child support guidelines enacted in 2013. Vote 15-0.

Amendment (2405h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Four members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - 3 Duties.
- I. The committee shall review implementation of RSA 461-A, relative to parental rights and responsibilities, and the revised child support formula, adopted pursuant to RSA 458-C, as amended by 2012, 248. The study shall address the following questions:
- (a) Did adoption of RSA 461-A meet the legislature's goal of minimizing the adversarial nature of divorce and parenting cases?
- (b) Could RSA 461-A and RSA 458-C be amended to further reduce the adversarial nature of such proceedings?
- (c) Would specific guidelines for shared and split parenting cases improve outcomes and reduce conflict?
 - (d) What effect has the loss of state funding for guardians ad litem had on low income cases?
- (e) Have changes in the child support guidelines been equitable for both parents and provided adequate and appropriate support for children?

- (f) How have changes to the child support guidelines affected low and high income parents?
- (g) What criteria is used for the 4-year review of the child support guidelines, required under RSA 458-C:6 and 42 U.S.C. section 667, and would changes to the review's scope or procedures be appropriate?
- II. The committee may solicit information and testimony from any individual and organization the committee deems relevant to its study, including:
 - (a) Family law attorneys.
 - (b) The department of health and human services, division of child support services.
 - (c) The New Hampshire Coalition Against Domestic and Sexual Violence.
 - (d) The New Hampshire Conflict Resolution Association.
 - (e) Child psychologists.
 - (f) The university of New Hampshire cooperative extension.
 - (g) Judges and masters assigned to the circuit court, family division.
 - (h) Guardians ad litem.
- (i) Members of the public who were parties to parenting cases under RSA 461-A or RSA 458-C, including individuals who were satisfied and those who were dissatisfied with the legal process.
- 4 Chairperson; Quorum. The first-named house member shall serve as chairperson of the committee and shall call the first meeting of the committee. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.
- 5 Report. The committee shall report its findings and any recommendations for proposed legislation to the chairperson of the house children and family law committee, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. INEXPEDIENT TO LEGISLATE.

Rep. Richard Hinch for Legislative Administration. This bill prohibits deductions of any kind from the compensation or mileage reimbursements paid to state representatives. While we understand the concern of the members who brought this bill forward, the issue has been addressed in the past. It is the Internal Revenue Service code that dictates the withholding of taxes from legislative compensation. The legislature is not in a position to address the issue of what the federal government views as taxable or not taxable, and therefore we believe the recommendation of Inexpedient to Legislate is the correct outcome. Vote 9-1.

Rep. Hinch spoke in favor and yielded to questions.

Rep. Marple spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 224 NAYS 75

YEAS - 224

BELKNAP

Dumais, Russell Fields, Dennis Fisher, Robert Flanders, Donald Fraser, Valerie LeBreche, Shari Spanos, Peter Tilton, Franklin

CARROLL

Buco, Thomas Butler, Edward Chandler, Gene Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Eaton, Daniel Parkhurst, Henry Robertson, Timothy Tatro, Bruce Ames, Richard Hunt, John Pearson, William Sad, Tara Weber, Lucy

Berch, Paul Mann, John Phillips, Larry Shepardson, Marjorie Bordenet, John McConnell, James Roberts, Kris Sterling, Franklin

COOS

Moynihan, Wayne Rappaport, Laure Tholl, John

Rappaport, Laurence Rideout, Leon

Theberge, Robert

GRAFTON

Abel, Richard Darrow, Stephen Hull, Robert Nordgren, Sharon Sykes, George Almy, Susan Ford, Susan Johnson, Eric Piper, Wendy Townsend. Charles

Bennett, Travis Hennessey, Martha Maes, Kevin Shackett, Jeffrey White, Andrew Cooney, Mary Higgins, Patricia Massimilla, Linda Smith, Suzanne

HILLSBOROUGH

Backus, Robert Booras, Efstathia Cohen, Alan Edelblut, Frank Freitas, Mary Gorman, Mary Hansberry, Daniel Hopper, Gary Leishman, Peter McNamara, Richard Ober, Russell Pierce, David Rouillard, Claire Shattuck, Gilman Soucy, Timothy Twombly, Timothy Woodbury, David

Barry, Richard Brown, Pamela Cornell, Patricia Estevez, Eric Gagne, Larry Gould, Linda Harvey, Suzanne Jack, Martin Long, Patrick Notter, Jeanine Ohm, Bill Proulx, Mark Sanborn, Laurie Shaw, Barbara Straight, Phillip Vann, Ivv

Belanger, James Byron, Frank Cote, David Flanagan, Jack Goley, Jeffrey Haefner, Robert Heath, Mary Kurk, Neal Mangipudi, Latha O'Brien, Michael Palmer, Barry Rice, Kimberly Schleien, Eric Smith, Timothy Sullivan, Victoria Walsh, Robert

Biggie, Barbara Christie, Rick Danielson, David Forest, Armand Gonzalez, Carlos Halstead, Carolyn Hinch, Richard LeBrun, Donald McLean, Mark Ober, Lynne Pellegrino, Anthony Rosenwald, Cindy Seidel, Carl Snow, Kendall Takesian, Charlene Williams, Kermit

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Karrick, David Luneau, David Myler, Mel Saunderson, George Turcotte, Alan Bartlett, Christy Doherty, David Henle, Paul Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne Wallner, Mary Jane Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kotowski, Frank Martin, John Rice, Chip Seaworth, Brian Wheeler, Deborah Carson, Clyde Frazer, June Horn, Werner Kuch, Bill Moffett, Howard Rogers, Katherine Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cushing, Robert Fesh, Robert Green, Dennis Hoelzel, Kathleen Lovejoy, Patricia McMahon, Charles Oligny, Jeffrey Sherman, Thomas Thomas, Douglas Allen, Mary
Cahill, Michael
Dean-Bailey, Yvonne
Francese, Paula
Griffin, Mary
Introne, Robert
Manning, John
Milz, David
Pantelakos, Laura
Simpson, Alexis
Ward, Joanne

Azarian, Gary
Cali-Pitts, Jacqueline
DeSimone, Debra
Gordon, Pamela
Harris, Jeffrey
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Potucek, John

Sweeney, Joe

Barnes, Arthur Christie, Andrew Duarte, Joe Gordon, Richard Hodgdon, Bruce Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Schroadter, Adam Sytek, John

STRAFFORD

Baber, William Berube, Roger Burton, Wayne Cheney, Catherine Kaen, Naida Leeman, Don Schmidt, Peter Spang, Judith Verschueren, James Wall, Janet

Bickford, David Gardner, Janice Mullen, John Stevens, Audrey Bixby, Peter Grav. James Rollo, Deanna Treleaven, Susan

SULLIVAN

Cloutier, John Irwin, Virginia

Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

Grenier, James Smith, Steven

NAYS - 75

BELKNAP

Aldrich, Glen Varney, Peter Howard, Jr., Raymond

Hurt, George

Vadney, Herbert

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

CHESHIRE

Tilton, Benjamin

COOS

Fothergill, John

Thomas, Yvonne

GRAFTON

Brown, Duane

Gionet, Edmond

HILLSBOROUGH

Adams, Christopher Christiansen, Lars Ferreira, Elizabeth Hogan, Edith Murphy, Keith Ulery, Jordan

Ammon, Keith Coffey, James Fromuth, Bart Lachance, Joseph Parison, James Zaricki, Nick

Boehm, Ralph Eastman, Eric Griffin, Barbara Manley, Jonathan Simmons, Tammy Burt, John Edwards, Elizabeth Hansen, Peter Moore, Josh Souza, Kathleen

MERRIMACK

Brewster, Michael Marple, Richard

French, Harold McGuire, Carol

Hill. Gregory McGuire, Dan Hoell, J.R.

ROCKINGHAM

Abramson, Max Cook, Allen Gannon, William Peckham, Michele Tucker, Pamela

Baldasaro, Alfred Devine, James Itse. Daniel Rice. Frederick Vose, Michael

Bates, David Elliott, Robert McKinney, Betsy Spillane, James Welch, David

Chase, Francis Emerick, J. Tracy Osborne, Jason True, Chris Weyler, Kenneth

STRAFFORD

DeLemus, Susan Horrigan, Timothy Turcotte, Leonard Graham, Robert Jones, Laura Wuelper, Kurt

Groen, Warren Kaczynski, Jr., Thomas Hannon, Joseph Pitre, Joseph

SULLIVAN

Converse, Larry and the committee report was adopted.

Laware, Thomas

HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. OUGHT TO PASS WITH AMENDMENT.

Rep. David Karrick for Ways and Means. Abuse and misuse of alcohol and resulting negative behavior, including domestic violence and criminal activity, imposes substantial costs on the state, businesses, communities, and families. There is presently a penalty assessment for violations of the liquor statutes when adjudicated by a court but no assessment when the Liquor Commission levies fines. The amendment makes the penalty assessment at the commission level equal to the court level and corrects statutory references. The added revenue is split equally three ways between the victims' assistance, domestic violence, and alcohol abuse prevention and treatment funds. Vote 19-0.

Amendment (2403h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to penalty assessments.

Amend the bill by replacing sections 2 and 3 with the following:

2 New Subparagraph; General Revenue Exceptions. Amend RSA 6:12, I(b) by inserting after subparagraph (330) the following new subparagraph:

(331) Moneys received pursuant to RSA 179:64, which shall be deposited in accordance with RSA 179:64, IV.

3 New Section; Penalty Assessment; Waiver of Penalty. Amend RSA 179 by inserting after section 63 the following new section:

179:64 Penalty Assessment; Waiver of Penalty.

I. The commission shall levy a penalty assessment of \$12 or 24 percent, whichever is greater, on each fine or penalty imposed by the commission for a violation of RSA title XIII.

II. If multiple offenses are involved, the penalty assessment shall be imposed on the total fine.

III. If a fine is suspended in whole or in part, the penalty assessment shall be reduced in

proportion to the suspension.

IV. The commission shall collect all penalty assessments and shall transmit the amount collected under paragraphs I-III to the state treasurer for deposit in the following funds. The state treasurer shall deposit 33 1/3 percent of the amount collected in the victims' assistance fund, 33 1/3 percent of the amount collected in the special fund for domestic violence programs, and 33 1/3 percent of the amount collected in the alcohol abuse prevention and treatment fund.

V. If it is determined by the commission that the payment of all or any part of a penalty assessment would work a hardship on the person convicted or on such person's immediate family, the commission may suspend the payment of all or any part of the assessment.

Amend the bill by replacing all after section 4 with the following:

5 Penalty Assessments. Amend RSA 188-F:31, I to read as follows:

I. Every court shall levy a penalty assessment of [\$2] \$12 or 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense or violation of law, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked. Notwithstanding any law or rule to the contrary, the penalty assessment shall be levied in addition to the amount of the fine or penalty imposed by the court.

6 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill establishes a penalty assessment for violation of alcoholic beverage laws. This bill also modifies penalty assessments under RSA 188-F:31.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (0108h).

Amendment (0108h)

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.

AMENDED ANALYSIS

This bill establishes a penalty assessment for violation of alcoholic beverage laws.

Rep. Ohm spoke in favor.

Floor amendment (0108h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Rideout spoke against.

Rep. Abrami spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 204 NAYS 89

YEAS - 204 RELKNAP

	В	ELKNAP	
Fields, Dennis Tilton, Franklin	Flanders, Donald	Fraser, Valerie	Spanos, Peter
	C	ARROLL	
Chandler, Gene Schmidt, Stephen	Crawford, Karel Ticehurst, Susan	McConkey, Mark	Nelson, Bill
	C	HESHIRE	
Abbott, Michael Mann, John Roberts, Kris Sterling, Franklin	Ames, Richard Parkhurst, Henry Robertson, Timothy Tatro, Bruce	Berch, Paul Pearson, William Sad, Tara Tilton, Benjamin	Bordenet, John Phillips, Larry Shepardson, Marjorie Weber, Lucy
Otoming, Frankini	rano, orașo	COOS	, ===,
Fothergill, John Tholl, John	Moynihan, Wayne Thomas, Yvonne	Rappaport, Laurence	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Duane
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Barry, Richard	Belanger, James	Booras, Efstathia
Brown, Pamela	Byron, Frank	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	Edelblut, Frank
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Hinch, Richard	Jack, Martin	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Pierce, David	Proulx, Mark	Rosenwald, Cindy
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MEDDIMACK

	MERRIMACK		
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
Henle, Paul	Hirsch, Geoffrey	Horn, Werner	Karrick, David
Kenison, Linda	Kotowski, Frank	Kuch, Bill	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Azarian, Gary Barnes, Arthur Berrien, Skip Cahill, Michael Chase, Francis Christie. Andrew Cook, Allen Cushing, Robert DeSimone, Debra Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracy Fesh, Robert Francese, Paula Gordon, Pamela Griffin, Mary Hoelzel, Kathleen Introne, Robert Katsakiores, Phyllis Lovejoy, Patricia Manning, John Matthews, Carolyn McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Oligny, Jeffrey Pantelakos, Laura Peckham, Michele Potucek, John Sherman, Thomas Simpson, Alexis Sweeney, Joe Sytek, John Ward, Joanne Welch, David STRAFFORD Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cheney, Catherine Gardner, Janice Gray, James Horrigan, Timothy Kaen, Naida Leeman, Don Mullen, John Rollo, Deanna Schmidt, Peter Spang, Judith Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet **SULLIVAN** Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Oxenham, Lee Rollins, Skip Smith, Steven **NAYS - 89** BELKNAP Aldrich, Glen Fisher, Robert Howard, Jr., Raymond Hurt, George LeBreche, Shari Vadney, Herbert Varney, Peter CARROLL Avellani, Lino Buco, Thomas Butler, Edward Comeau, Ed Cordelli, Glenn McCarthy, Frank Wright, Ted CHESHIRE Eaton, Daniel Hunt, John McConnell, James COOS

Rideout, Leon

GRAFTON

Hull, Robert Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Burt, John Christie, Rick Eastman, Eric Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Hansen, Peter Hogan, Edith Hopper, Gary Leishman, Peter McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Rice, Kimberly Rouillard, Claire Sanborn, Laurie Schleien, Eric Simmons, Tammy Souza, Kathleen Sullivan, Victoria Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Cali-Pitts, Jacqueline	Dean-Bailey, Yvonne	Gannon, William	Gordon, Richard
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	McBeath, Rebecca	Osborne, Jason	Rice, Frederick
Schroadter, Adam	Spillane, James	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Weyler, Kenneth	

STRAFFORD

Bickford, David	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Pitre, Joseph
Turcotte Leonard	Wuelner Kurt		

and the committee report was adopted and referred to the Committee on Finance.

HB 668-FN, relative to expense deductions under the business profits tax. INEXPEDIENT TO LEGISLATE.

Rep. Brian Gallagher for Ways and Means. This bill allows a business organization to calculate increased expense deductions as defined by IRS code section 179, but not to exceed \$100,000, per calendar year under the Business Profits Tax. Testimony was received from CPA firms and the Department of Revenue Administration that the impact to business would be very difficult to measure. The additional concern expressed by accounting firms was that few businesses could potentially be economically impacted. The Department of Resources and Economic Development suggested that many business entities would not take advantage of the opportunity and that this incentive would not significantly impact important business decision making. Vote 19-0.

MOTION TO SPECIAL ORDER

Rep. Abrami moved that **HB 668-FN**, relative to expense deductions under the business profits tax, be made a Special Order in its Regular Calendar order for the House Session of February 10, 2016. Motion adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, January 27, 2016 at 10:00 a.m..

LATE SESSION

Third Reading and Final Passage

HB 301, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level.

HB 359, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

HB 594-FN-A, establishing keno.

HB 378, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013.

HB 585-FN-A, relative to penalty assessments.

UNANIMOUS CONSENT

Rep. Stephen Schmidt requested Unanimous Consent of the House regarding memorial remarks for the former member from Wolfeboro, the Honorable David Knox.

Rep. Stephen Schmidt addressed the House.

Rep. Mangipudi requested Unanimous Consent of the House regarding the Indian Harvest Festival.

Rep. Mangipudi addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Wolfeboro, the Honorable David Knox.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Stephen Schmidt be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Stephen Schmidt: Thank you, Mister Speaker. A kind, gentle and thoughtful gentleman passed away on January 15, 2016. John David Knox or David as he preferred to be called served four terms in the New Hampshire House from 2004 to 2012 representing Wolfeboro, Tuftonboro and Moultonborough. He sat on the Environment and Agriculture Committee. David loved serving as a Representative and particularly loved the process of governing. By any measure, David belonged to the moderate wing of the Republican Party. He believed in civil discourse and compromise. Harsh rhetoric, pledges and frozen positions were not how David viewed his role in the Legislature. When I first ran for office in November 2010, I sat down with David to get his perspective on what being a good Representative was all about. He advised me to never cast a vote without having read the bill, to determine if the bill was really necessary, to determine if the bill was positive or detrimental to my constituents and lastly, that a good idea was a good idea regardless of who proposed it. His advice was excellent then and remains so today. David would read the various position sheets but always cast his vote based on his own analysis. One might disagree with some of his votes, but you knew with absolute certainty that they were all cast with integrity. For those reasons you cold never by angry with him. He was absolutely a man of principle. David was a teacher by profession. He taught American Government and History at Kingswood High School for over thirty years. During that time he taught several generations and was loved and respected by all. David excelled at being a teacher and provided his pupils a love for America and the brilliance of our founders who established the foundations of our Republic. He encouraged his pupils to involve themselves in clubs such as Youth and Government, Model Congress and Close Up. He also facilitated visits from various candidates to Kingswood to get students more involved in the political process. I last saw David in a social setting last March during our Carroll County Lincoln Day Dinner. Our guest speaker was and is a candidate for President but David was more excited to introduce two young guests from Kingswood High School. He wanted them to experience the excitement of a Presidential campaign and have the opportunity to meet the various dignitaries attending. You see, David never stopped being a teacher. David was also something of a "Renaissance Man." He had a fine singing voice and a passion for music. He was a member of the Wolfeboro All Saints Episcopal Church choir for over forty years and also sang with the Clear Lakes Chorale as well as the Kingswood High School production of the "Music Man." He was indeed a well-rounded and giving man. At this point I would be remiss not to point out that David is survived by his daughters Beth Ann and Sarah, grandchildren Tyler and Alexis, sister Jane, brother James, companion Penny and nieces and nephews. David's wife of thirty eight years, Gay, predeceased him. Lastly, as we all travel down life's path, we ultimately come to the realization that the path in front of us is much shorter than the path behind. At this point it's tempting to look over our shoulders and see if we have left enduring footprints during our journey. Have we lived a good life? I can say without question that David's footprints will long endure and that his legacy will be remembered by all those fortunate enough to have been touched by his presence. Rest well my friend.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 4:20 p.m.

RECESS

(Rep. Hinch in the Chair) ENROLLED BILL AMENDMENT

SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. (Amendment printed SJ 1-26-16)
Adopted.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 331 and 555 and Senate Bills numbered 447 and 576.

Rep. Hinch, Sen. D'Allesandro, for the Committee

SENATE MESSAGES CONCURRENCE

SB 146, relative to accessory dwelling units.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program.

NONCONCURRENCE

HB 192, relative to the valuation of utility property.

HB 380, relative to investigations of child day care agencies.

REFERRED FOR INTERIM STUDY

HB 195, relative to continuing care communities.

HB 383, relative to the immunization/vaccination registry.

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

HB 613, relative to governmental records exempted under the right-to-know law.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 4

Wednesday, January 27, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. We pray for Your blessing, O God, on the members of this House and for all who work with them. We pray for Your blessing, O God, on the people of New Hampshire who are the reason for the existence of this body and the motivation for all that is accomplished in this place. As we give thanks for honest government and fair representation, we recognize the power that comes with freedom, and ask that You would guide and inspire the decisions that are made here today. And in this momentous year, as we focus our minds on future decisions, and as the eyes of the world are focused on this Primary State, help us to continue to use our power thoughtfully, with open eyes, listening ears and discerning hearts. We give thanks for our freedom of choice. May we be inspired to choose well for the good of Your beloved people, in this country and throughout the world. Amen.

Representative Victoria Sullivan, member from Manchester, led the Pledge of Allegiance.

The National Anthem was sung by Kara Lyford of Merrimack, granddaughter of Rep. Forest.

LEAVES OF ABSENCE

Reps. Bartlett, Chris Brown, Comtois, Dumais, Emerson, Fisher, Gargasz, Green, Infantine, Kellogg, Kidder, Knowles, Major, Moody, Palmer, Phillips, Priestley, Chip Rice, Kimberly Rice, Rollo, Sanders and Gregory Smith, the day, illness.

Reps. Booras, Bouldin, Rebecca Brown, Francis Chase, DeSimone, Donovan, Jones, LeBreche, Nigrello, O'Hearne, O'Neil, Oligny, Parison, Rowe, Russell, Scontsas, Jeffrey Shackett, Timothy Smith, Spillane, Daniel Sullivan, Tamburello and Tucker, the day, important business. Rep. Ohm, the day, illness in the family.

INTRODUCTION OF GUESTS

Eagle Scout, Anthony Dickerson of Raymond, Page for the day.

Manis Brennan, guest of Rep. Burton. Lori Davis, guest of Reps. Whitehouse and Pitre. Stephen Blakney, Husband of Rep. Treleaven. June Dickerson and Jane Bailey, mother and grandmother of the Page, guests of Rep. Kappler. Lucille Forest, wife of Rep. Forest. The Honorable Jeffrey Brown, former member from Seabrook, guest of Rep. Cushing. The Honorable Sally Kelly, former member from Chichester, guest of Reps. Doherty, Schuett and Seaworth.

SENATE MESSAGE NONCONCURS WITH AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 369-FN, encouraging public schools to include drug and alcohol education as part of their health education curriculum.

The President appointed Sens. Bradley, Stiles and Kelly.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Kurk, Hinch and Shaw.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HJR 3, calling for the investigation and defunding of Planned Parenthood, removed by Rep. Groen. **HB 1350**, relative to allodial rights and violations of the oath of office, removed by Rep. Marple. Consent Calendar adopted.

Rep. Berch declared a conflict of interest on **HB 1677-FN** and did not participate in the vote on the Consent Calendar.

HB 1193, relative to the wellness and primary prevention council. OUGHT TO PASS WITH AMENDMENT.

Rep. James MacKay for Health, Human Services and Elderly Affairs. The Wellness and Primary Prevention Council has been operating successfully for many years. Its emphasis on prevention is an extremely high priority in health care. This legislation as amended clarifies the administrative role of the Department of Health and Human Services and the council. It also provides that if funds are available the department could provide a coordinator of wellness and primary prevention programs after consultation with the council. Vote 16-0.

Amendment (0057h)

Amend RSA 126-M:3, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) After consultation with the council, the department of health and human services shall, to the extent of available funds, [seek] provide a coordinator of wellness and primary prevention programs, to assist the council in the performance of its duties. The department of health and human services shall provide information and administrative support to the council as [is reasonable and requested by the council] the department may deem reasonable.

HB 1217, relative to the duties of and meeting requirements for the judicial council. INEXPEDIENT TO LEGISLATE.

Rep. Frank Heffron for Judiciary. This bill would make several changes to the operation of the Judicial Council, an organization created by statute "to serve as a catalyst for the discussion of legal and judicial issues through seminars, forums and special studies, and any other means." The first proposed change would delete language in the statute enabling the council to avail itself of private funding as well as state funding. The committee saw no reason to make this change. The second proposed change would "allow the public to speak on any issue at meetings of the council." The committee heard testimony that the council has limited time to transact its business and that there are ways that members of the public can make suggestions to members of the council outside of its meetings. The third proposed change would require the council to hold a meeting in June, as well as in January, April and October. This would limit the flexibility of the council, which consists of members donating their time, and in any event, the council often holds a fourth meeting at some time during the year. The fourth proposed change would require the posting of a notice of each council meeting in the House Calendar at least 10 days in advance of the meeting. The committee heard testimony that the council posts notices of its meetings on its website and has tried to place a notice of meeting in the House Calendar but decided against this in consultation with the previous House Clerk. Accordingly, the committee voted unanimously to recommend Inexpedient to Legislate. Vote 16-0.

HB 1676, relative to attachments on benefits under the judicial retirement plan. INEXPEDIENT TO LEGISLATE.

Rep. David Woodbury for Judiciary. This bill seeks to change the current statutory judicial retirement plan. At present, the benefits and rights of judicial enrollees are protected from attachment, execution or similar process, just as are the benefits of state employees in other statutory plans. This bill seeks to expose one-half of the benefits of judicial enrollees to assignment, execution or attachment to satisfy a court order. The sponsor was unable to give the committee any cogent reason why judicial benefits should be exposed when the benefits of other state and municipal employees were not so exposed. Vote 17-0.

HB 1677-FN, abolishing the supreme court general counsel position and the judicial council. INEXPEDIENT TO LEGISLATE.

Rep. David Woodbury for Judiciary. This bill seeks to abolish the Judicial Council and to give its functions to the Attorney General. Despite the title, the bill does not mention the Supreme Court General Counsel. If adopted, this measure would not only increase the duties of the Attorney General, but would create an intolerable conflict of interest with the state's chief prosecutor choosing and supervising the opposing attorneys of the Public Defender's Office. The Judicial Council has performed well for many years and should be preserved as it now is. Vote 15-0.

HB 1345, repealing the age limit for sheriffs. INEXPEDIENT TO LEGISLATE.

Rep. Ken Peterson for Municipal and County Government. Sponsors of this legislation were convinced that an age limitation of sheriffs while having no such limit on the officers working for the sheriff as well as police chiefs and other law enforcement officers was something that needed

to be addressed. The age limit had no real relationship to one's physical ability. However, during testimony it was pointed out that the NH Constitution sets the age limit on judges and sheriffs and a change to that would require a constitutional amendment. Knowing that, the sponsor of the bill asked the committee to recommend Inexpedient to Legislate. Vote 16-0.

HB 1427-FN-A-L, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill is a variation of last year's HB 224 and deals with exemption from property taxes for water and air pollution control facilities installed by manufacturers, larger businesses and educational institutions. The state exempted these facilities from local property taxes to encourage the installation of equipment designed to meet EPA standards over the years. Initially, the exemption had a sunset date but that was eliminated in other legislation. Municipalities desire to obtain the revenue they would otherwise get and want the exemption to end. Those who have these facilities claim that subjecting them to local taxation will not only raise their cost of doing business but will force some to consider leaving the state, some to pass on the increases to consumers and others to possibly go out of business. This bill has a variation to last year's bill in that it suspends the exemption for only a two year period and uses the state income to fund matching grants for the cost of water pollution control projects for which the state portion of funding was never realized. The state's failure to fund special municipal projects should not be paid for by taxing unrelated and otherwise tax free property. Removing the tax exemption for a temporary period effective so quickly does not give the affected entities time to do any financial planning for the impact and simply opens the door to make the suspension of the exemption permanent. The committee has rejected attempts to re-establish a property tax for these pollution control systems in the past and saw no reason to change that position for this bill. Vote 16-0.

HB 1505, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This legislation was introduced in response to the introduction of HB 1427. HB 1427 proposes to eliminate a tax exemption for pollution control equipment for Franklin Pierce College and this bill proposes to allow that exemption to be re-established. However, the wording of this bill was not exclusive and would have applied to other educational institutions. A representative of Franklin Pierce College testified against this bill. This legislation is a moot issue if HB 1427 is found to be ITL. Knowing that the institution that was intended to benefit from this bill is opposed to it regardless of the outcome of other legislation convinced the committee that the bill should be found ITL. Vote 16-0.

HB 1241, establishing the alternative motto "scenic" for motor vehicle plates. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. The committee appreciates the sponsor's idea of a choice for a different message on our plates, however the cost to implement new plates remains prohibitive. Vote 15-0.

HB 1477, relative to the grace period for motor vehicle inspections. OUGHT TO PASS.

Rep. Steven Smith for Transportation. Vehicle transporters who take longer than 10 days to complete a trip are currently required to inspect a vehicle that they do not own. This bill fixes that inadvertent condition. Vote 13-2.

REGULAR CALENDAR

HB 1281, relative to divorce petitions and procedures. INEXPEDIENT TO LEGISLATE.

Rep. Eric Estevez for Judiciary. This bill is about automatic temporary restraining orders and what the qualifications are for who can apply for joint divorce petitions. This bill allows either party to transfer from a joint account to an account in his or her name, half of the total amount of \$10,000, whichever is less. This bill also eliminates domicile provisions. Essentially, if enacted, this bill will allow people to come to New Hampshire and use our state as a venue to get a divorce. In the final analysis, this bill is unclear and vague, such as the insurance provisions that do not include children. Vote 13-3.

Committee report adopted.

HB 1119-L, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Marjorie Porter for the Majority of Municipal and County Government. RSA 261:153, VI (b), enacted in 1998, enabled municipalities to add a surcharge to vehicle registrations, with the proceeds to be used to fund local transportation needs. The addition of such a surcharge must be approved by the voters, who also have final say over how the funds are used. Communities that have chosen to add the surcharge report using funds for road and bridge repairs, shuttle transportation for the elderly or infirm, sidewalk and bike path projects, among others. The original legislation set a surcharge cap of \$5.00 per vehicle, where it remains. HB 1119 amends the existing statute by raising the cap to \$10.00. As local voters decide whether or not to enact the surcharge, how much the surcharge will be, and how the resulting funds will be used in their community, this enabling legislation allows for complete local control. Vote 8-7.

Rep. James Coffey for the Minority of Municipal and County Government. This bill increases the maximum optional fee for transportation improvements that may be charged by municipalities when collecting motor vehicle registration fees. A minority of the committee believes that a 100% increase, from \$5 to \$10, was excessive even if it was to be a local option.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Burt requested a roll call; request withdrawn.

Majority committee report failed.

Rep. Kurk moved the minority committee report of Inexpedient to Legislate.

On a standing division vote, with 165 members having voted in the affirmative and 127 in the negative, the minority committee report was adopted.

HB 1438-FN-L, relative to the registration of antique trailers. OUGHT TO PASS.

Rep. Larry Gagne for Transportation. This bill eliminates the requirement that antique trailers have only one axle to qualify for antique plates. The focus of this bill is to remove the single wheel/single axle restriction found in RSA 261:89-a, II which presently limits antique trailers to very small units. The Division of Motor Vehicles and also the Department of Safety support this bill. There was no testimony given opposing this bill. Vote 15-0.

Committee report adopted and ordered to third reading.

UNANIMOUS CONSENT

Rep. Myler requested Unanimous Consent of the House regarding the 30-year anniversary of the Space Shuttle Challenger disaster and Christa McAuliffe, the Concord teacher and crew member. Rep. Myler, standing with the Concord Delegation addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of Christa McAuliffe and the Space Shuttle Challenger.

MOTION TO PRINT REMARKS

The Speaker, without objection, ordered that the remarks made by Rep. Myler during Unanimous Consent be printed in the Permanent Journal.

REMARKS

Rep. Myler: Thank you, Mister Speaker. On a cold morning, January 28, 1986, seven space explorers approached the Challenger Space Shuttle launch site in what would be, unbeknownst to them, their last voyage. Our own Christa McAuliffe was a member of the crew. Christa had competed with 11,000 teachers to be the first citizen to fly in space and to represent the nation's best in teaching via the Teacher In Space program sponsored by NASA. She was selected not because of her knowledge in science, or space, or math. No. She was selected because she was an excellent teacher, like so many others across the nation. She taught social studies at Concord High School. She challenged her students to be curious, to dream, to challenge themselves, to accept things not as they are but what they ought to be, to find their true passion in life, to have a voice for the things they care about, to take risks, to not accept the status quo, to make a difference, to care for others. She was selected because she was a

teacher's teacher. She exemplified all that was good in teaching. She always said, "I touch the future, I teach." Christa's selection excited a nation. For the average citizen, she represented the possibility that they too might become a space traveler. To teachers, she became their voice, their vision of respect for the teaching profession. Prior to her NASA training, she traveled the nation demonstrating a poise and intelligence that was infectious to those she touched. She was gregarious in a humble way. She was the symbol of not just good teaching, but what was good in America. The launch was delayed for two days because of an unusual cold spell in Florida. On the third morning, the New Hampshire delegation got the word that the launch was a "GO." There was a heavy frost on the car windows that cold, dark morning. Located a mile from the launch pad was the VIP section. There was Governor Sununu and other elected officials. Grace and Ed Corrigan, Christa's mother and father. Scott McAuliffe, Christa's son, class and teachers. The leadership team of NEA New Hampshire, Christa had been an active local leader in the association. And there were many others. In front of the VIP stands was a large digital clock counting down to launch. Speakers allowed us to hear the monotone voice of mission control in Houston. As the clock counted down, the excitement grew. 10, 9, 8 ignition - from a mile away you could feel the ground shake - 3, 2, 1 blast off. The shuttle took off in a bright, blue clear sky, a perfect launch. Seventy-three seconds into the flight, we heard mission control order, "Power up." At that moment, puffs of smoke appeared from the shuttle, followed by a fire ball in the sky and the shuttle trajectory was interrupted. Immediately, mission control said, "There has been a malfunction." Followed quickly by, "There has been a major malfunction." Those of us present in the VIP stands had no clue what we had just witnessed. NASA employees appeared immediately and ushered us back to the buses that would return us to the parking lot 30 minutes away. As we traveled, there was little conversation - we still were in the dark to the tragedy, there was no communication from NASA. I had to take my friends to the airport who were scheduled to return to New Hampshire. In the car, I turned on the radio. One of my friends said, "Turn it off." I did. We traveled to the airport in silent shock still not knowing what had happened to the shuttle. When we got to the airport, I called Diane, my wife, 90 minutes after the explosion, and was informed all had perished. Gone were seven lives. All had trained together. They were a crew of space explorers. They knew the danger. They knew the risks. For those of us who knew Christa, there was immediate concern for Steve, Scott, and Caroline. Gone was the wife and mother. Gone was the teacher's teacher. Gone was the spokesperson who was so articulate in speaking for the teaching profession. However, on deeper reflection, we saw Christa who taught her students to seek their passion, to be curious, to take risks - she died doing exactly what she taught. She was reaching for her star. That my friends is her legacy to us all. Set a life course based on sound tenets and live it well each day. Sharon Christa McAuliffe - perhaps her life can best be summed in the words placed on her graveside memorial and written by the person who knew her best, husband Steve. It reads: "Wife, Mother, Teacher. Pioneer Woman. Crew member, Space Shuttle Challenger. American's first ordinary citizen to venture toward space. She helped people. She laughed. She loved and is loved. She appreciated the world's natural beauty. She was curious and sought to learn who we are and what the universe is about. She relied on her own judgment and moral courage to do right. She cared about the suffering of her fellow man. She tried to protect our spaceship earth. She taught her children to do the same."

REGULAR CALENDAR CONT'D

HB 1562-FN-L, allowing counties to establish heroin use prevention and treatment programs. **IN-EXPEDIENT TO LEGISLATE**.

Rep. Ken Peterson for Municipal and County Government. This legislation would allow counties to establish heroin use prevention and treatment programs. There is a recognized need for such programs but it isn't clear that they should be funded by the counties. As most of us are aware, there are several bills in the pipeline having to do with this subject as a result of the Joint Task Force on Heroin and Opioid Epidemic. This bill is likely premature pending the outcome of those Task Force bills and could result in a duplication of effort. Pending the results of the statewide effort on this drug problem, the committee felt this bill was not timely. Vote 12-4.

Rep. Cheney spoke against.

Rep. Peterson spoke in favor.

Rep. Abramson spoke against, yielded to questions and requested a roll call; not sufficiently seconded. On a standing division vote, with 283 members having voted in the affirmative and 43 in the negative, the committee report was adopted.

Abrami, Patrick

Belanger, Ronald

Allen, Mary Chirichiello, Brian

REMOVED FROM THE CONSENT CALENDAR

HJR 3, calling for the investigation and defunding of Planned Parenthood. INEXPEDIENT TO LEGISLATE.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Committee members voted to ITL this resolution for a variety of different reasons. Concerns expressed by committee members were as follows. Some committee members were concerned about joining investigation and defunding in one resolution. If investigation turns up no wrongdoing, there would be no need for defunding. Some believe that a resolution calling for action by Congress is of little practical effect. Some believe the resolution unnecessary because Congress and the NH Attorney General have already conducted investigations or investigated complaints and the NH Attorney General determined no further investigation was necessary. Some believe that the allegations in the resolution are untrue and object to the tone. Not all committee members agree with all of these reasons, but all agreed that this resolution should not go forward. Vote 16-0.

MOTION TO LAY ON THE TABLE

Rep. Kotowski moved that **HJR 3**, calling for the investigation and defunding of Planned Parenthood, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 112 NAYS 227

YEAS - 112 BELKNAP

	В	ELKNAP	
Fields, Dennis	Flanders, Donald	Fraser, Valerie	Hurt, George
Spanos, Peter	Tilton, Franklin	Vadney, Herbert	Varney, Peter
	C	ARROLL	
Chandler, Gene	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen		
	Cl	HESHIRE	
Hunt, John	McConnell, James	Sterling, Franklin	
		coos	
Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Tholi, John
	G	RAFTON	
Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Ladd, Rick
	HILL	SBOROUGH	
Balcom, John	Barry, Richard	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Danielson, David	Flanagan, Jack	Gagne, Larry
Gould, Linda	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Kurk, Neal	LeBrun, Donald
Marston, Dick	McCarthy, Peggy	McClarren, Donald	Ober, Lynne
Ober, Russell	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Rouillard, Claire	Seidel, Carl	Straight, Phillip	Takesian, Charlene
Wolf, Terry	Zaricki, Nick		
	ME	RRIMACK	
Hess, David	Kotowski, Frank	Marple, Richard	McGuire, Carol
McGuire, Dan	Walsh, Thomas		
	ROC	CKINGHAM	

Azarian, Gary

Christie. Andrew

Barnes, Arthur

Devine, James

	House Journ	NAL JANUARY 27, 2016	
Duarte, Joe Fesh, Robert Hagan, Joseph Katsakiores, Phyllis McKinney, Betsy Packard, Sherman Sytek, John Webb, James	Elliott, Robert Gordon, Richard Hodgdon, Bruce Kolodziej, Walter McMahon, Charles Peckham, Michele True, Chris Welch, David	Emerick, J. Tracy Griffin, Mary Hoelzel, Kathleen Manning, John Milz, David Potucek, John Vose, Michael Weyler, Kenneth	Ferrante, Beverly Guthrie, Joseph Introne, Robert Matthews, Carolyn O'Connor, John Rice, Frederick Ward, Joanne Woitkun, Steven
	S	TRAFFORD	
Bickford, David Pitre, Joseph	Cheney, Catherine	Gray, James	Mullen, John
	s	SULLIVAN	
Laware, Thomas	Smith, Steven		
	N	NAYS - 227	
	I	BELKNAP	
Aldrich, Glen	Gallagher, Brian	Howard, Jr., Raymond	
	C	CARROLL	
Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Cordelli, Glenn Wright, Ted	Crawford, Karel	Parker, Harold	Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		
_		COOS	
Froburg, Alethea Thomas, Yvonne	Moynihan, Wayne	Rideout, Leon	Theberge, Robert
	G	RAFTON	
Abel, Richard Cooney, Mary	Almy, Susan Ford, Susan	Bailey, Brad Hennessey, Martha	Brown, Duane Higgins, Patricia

	_	TOTAL A COLU	
Abel, Richard Cooney, Mary Hull, Robert Massimilla, Linda Sykes, George	Almy, Susan Ford, Susan Ingbretson, Paul Nordgren, Sharon Townsend, Charles	Bailey, Brad Hennessey, Martha Johnson, Eric Piper, Wendy White, Andrew	Brown, Duane Higgins, Patricia Maes, Kevin Smith, Suzanne

Baroody, Benjamin Coffey, James DiSilvestro, Linda

Estevez, Eric Fromuth, Bart Guerette, C. Lee Herbert, Christopher Jeudy, Jean

Mangipudi, Latha

Roberts, Carol Shattuck, Gilman

McNamara, Richard Notter, Jeanine

	HIL	LSBOROUGH
Adams, Christopher	Ammon, Keith	Backus, Robert
Beaulieu, Jane	Brown, Pamela	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Hogan, Edith	Hopper, Gary	Jack, Martin
Lachance, Joseph	Leishman, Peter	Long, Patrick
Manley, Jonathan	Martel, Andre	•
Moore, Josh	Murotake, David	McLean, Mark
O'Brien, Michael		Murphy, Keith
Rosenwald, Cindy	Porter, Marjorie	Proulx, Mark
riosciiwaiu, Olliuy	Sanborn, Laurie	Schleien, Eric

Shaw, Barbara Souza, Kathleen Vann, Ivv

Simmons, Tammy Sullivan, Victoria Walsh, Robert

Snow, Kendall Twombly, Timothy Williams, Kermit

Soucy, Timothy Ulery, Jordan Woodbury, David

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hill, Gregory Karrick, David Luneau, David Myler, Mel Rogers, Katherine Shurtleff, Stephen

Bradley, Paula Doherty, David French, Harold Hirsch, Geoffrey Kenison, Linda MacKay, James Parent, Jason Saunderson, George Turcotte, Alan

Brewster, Michael Ebel, Karen Gile, Mary Hoell, J.R. Kuch, Bill Martin, John Patten, Dick Schuett, Dianne Wallner, Mary Jane Carson, Clyde Frazer, June Henle, Paul Horn, Werner Long, Douglas Moffett, Howard Ratzki, Mario Seaworth, Brian Wheeler, Deborah

ROCKINGHAM

Abramson, Max Borden, David Cardon, G. Thomas DiFranco, Debbie Gannon, William Itse, Daniel McBeath, Rebecca Sherman, Thomas Thomas, Douglas

Baldasaro, Alfred Bush, Carol Cook, Allen Doucette, Fred Gordon, Pamela Kappler, Lawrence Osborne, Jason Simpson, Alexis Tilton, Rio

Bates, David Cahill, Michael Cushing, Robert Francese, Paula Harris, Jeffrey Lovejoy, Patricia Pantelakos, Laura Sweeney, Joe Ward, Gerald

Berrien, Skip Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Friel, William Heffron, Frank Lundgren, David Prudhomme-O'Brien, Katherine Tasker, Kyle

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Horrigan, Timothy Schmidt, Peter Sprague, Dale Verschueren, James Wuelper, Kurt

Beaudoin, Steven Cilley, Jacalyn Graham, Robert Kaczynski, Jr., Thomas Smith, Marjorie Stevens, Audrey Wall, Janet

Berube, Roger DeLemus, Susan Groen, Warren Kaen, Naida Southworth, Thomas Treleaven, Susan Ward, Kenneth

Bixby, Peter DiSesa, Len Hannon, Joseph Leeman, Don Spang, Judith Turcotte, Leonard Whitehouse, Joshua

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew

and the motion failed.

Converse, Larry Irwin, Virginia

Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

The question now being adoption of the committee report of Inexpedient to Legislate. Reps. Wuelper, Notter, Souza, Prudhomme-O'Brien and Groen spoke against.

Rep. Weber spoke in favor and yielded to questions.

Rep. Groen requested a roll call; sufficiently seconded.

YEAS 227 NAYS 100

YEAS - 227 BELKNAP

Fields, Dennis Varney, Peter

Flanders, Donald

Luther, Robert

Vadney, Herbert

CARROLL

Buco, Thomas McConkey, Mark Umberger, Karen Butler, Edward Parker, Harold Chandler, Gene Schmidt, Stephen Crawford, Karel Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Pearson, William Shepardson, Marjorie Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Tatro, Bruce Berch, Paul Hunt, John McConnell, James Robertson, Timothy Tilton, Benjamin Bordenet, John Johnsen, Gladys Parkhurst, Henry Sad, Tara Weber, Lucy

COOS

Fothergill, John Theberge, Robert Froburg, Alethea Tholl, John Moynihan, Wayne Thomas, Yvonne Richardson, Herbert

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Nordgren, Sharon Townsend, Charles Almy, Susan Ford, Susan Ladd, Rick Piper, Wendy White, Andrew Bailey, Brad Hennessey, Erin Maes, Kevin Smith, Suzanne

Cooney, Mary Hennessey, Martha Massimilla, Linda Sykes, George

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Byron, Frank
Cornell, Patricia
Edwards, Elizabeth
Gidge, Kenneth
Haefner, Robert
Heath, Mary
Jeudy, Jean
Long, Patrick
McNamara, Richard
Porter, Marjorie
Seidel, Carl
Soucy, Timothy
Wolf, Terry

Balcom, John
Belanger, James
Christensen, Chris
Cote, David
Estevez, Eric
Goley, Jeffrey
Halstead, Carolyn
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
O'Brien, Michael
Proulx, Mark
Shattuck, Gilman
Takesian, Charlene
Woodbury, David

Baroody, Benjamin Biggie, Barbara Christiansen, Lars Danielson, David Forest, Armand Gorman, Mary Hansen, Peter Hinch, Richard LeBrun, Donald Manley, Jonathan Peterson, Ken Roberts, Carol Shaw, Barbara Walsh, Robert Zaricki, Nick

Barry, Richard Brown, Pamela Cohen, Alan DiSilvestro, Linda Freitas, Mary Guerette, C. Lee Harvey, Suzanne Jack, Martin Leishman, Peter McCarthy, Peggy Pierce, David Rosenwald, Cindy Snow, Kendall Williams, Kermit

MERRIMACK

Alicea, Caroletta Ebel, Karen Henle, Paul Kenison, Linda MacKay, James Parent, Jason Saunderson, George Wallner, Mary Jane Bradley, Paula Frazer, June Hess, David Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Walsh, Thomas Carson, Clyde French, Barbara Hirsch, Geoffrey Long, Douglas Moffett, Howard Ratzki, Mario Shurtleff, Stephen Wheeler, Deborah

Doherty, David Gile, Mary Karrick, David Luneau, David Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Belanger, Ronald Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Elliott, Robert Friel, William Hagan, Joseph Kolodziej, Walter McMahon, Charles Peckham, Michele Sweeney, Joe

Welch, David

Allen, Mary
Berrien, Skip
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
Milz, David
Potucek, John
Sytek, John
Wevler, Kenneth

Azarian, Gary Borden, David Chirichiello, Brian DiFranco, Debbie Ferrante, Beverly Griffin, Mary Hoelzel, Kathleen Matthews, Carolyn O'Connor, John Sherman, Thomas Ward, Gerald Woitkun, Steven

Barnes, Arthur Cahill, Michael Cushing, Robert Doucette, Fred Francese, Paula Guthrie, Joseph Katsakiores, Phyllis McBeath, Rebecca Pantelakos, Laura Simpson, Alexis Webb, James

STRAFFORD

Bixby, Peter Burton, Wayne Baber, William Bickford, David Hannon, Joseph Gardner, Janice Gray, James Cilley, Jacalyn Mullen, John Schmidt, Peter Horrigan, Timothy Kaen, Naida Sprague, Dale Smith, Marjorie Southworth, Thomas Spang, Judith Verschueren, James Wall, Janet Stevens, Audrey Treleaven, Susan Ward, Kenneth **SULLIVAN** Gottling, Suzanne Cloutier, John Converse, Larry Gagnon, Raymond Rollins, Skip Oxenham, Lee Grenier, James Irwin, Virginia Schmidt, Andrew Smith, Steven **NAYS - 100** BELKNAP Howard, Jr., Raymond Fraser, Valerie Gallagher, Brian Aldrich, Glen Sylvia, Michael Tilton, Franklin Spanos, Peter Hurt, George CARROLL Cordelli, Glenn McCarthy, Frank Avellani, Lino Comeau, Ed Nelson, Bill COOS Rappaport, Laurence Rideout, Leon GRAFTON Ingbretson, Paul Johnson, Eric Hull, Robert Brown, Duane HILLSBOROUGH Boehm, Ralph Burt, John Ammon, Keith Adams, Christopher Edelblut, Frank Eastman, Eric Christie, Rick Coffey, James Gould, Linda Gagne, Larry Ferreira, Elizabeth Fromuth, Bart Lachance, Joseph Hogan, Edith Hopper, Gary Griffin, Barbara McLean, Mark Martel, Andre McClarren, Donald Marston, Dick Notter, Jeanine Murphy, Keith Murotake, David Moore, Josh Schleien, Eric Sanborn, Laurie Pellegrino, Anthony Rouillard, Claire Souza, Kathleen Straight, Phillip Sullivan, Victoria Simmons, Tammy Twombly, Timothy Ulery, Jordan MERRIMACK Hill, Gregory Hoell, J.R. Horn, Werner French, Harold McGuire, Carol McGuire, Dan Kuch, Bill Martin, John Seaworth, Brian ROCKINGHAM Bush, Carol Cook, Allen Bates, David Baldasaro, Alfred Gordon, Richard Fesh, Robert Gannon, William Duarte, Joe Itse, Daniel Introne, Robert Hodgdon, Bruce Harris, Jeffrey Osborne, Jason Lundgren, David Manning, John Kappler, Lawrence Prudhomme-O'Brien, Katherine Rice, Frederick Tasker, Kyle Packard, Sherman Vose, Michael True, Chris Thomas, Douglas Tilton, Rio Ward, Joanne STRAFFORD Cheney, Catherine DeLemus, Susan Berube, Roger Beaudoin, Steven Kaczynski, Jr., Thomas Leeman, Don Graham, Robert Groen, Warren

SULLIVAN

Whitehouse, Joshua

Wuelper, Kurt

Laware, Thomas and the committee report was adopted.

Turcotte, Leonard

Pitre, Joseph

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders in their Regular Calendar order for the Session of February 4, 2016.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, February 4, 2016 at 1:00 p.m.

LATE SESSION

Third Reading and Final Passage

HB 1193, relative to the wellness and primary prevention council.

HB 1477, relative to the grace period for motor vehicle inspections.

HB 1438-FN-L, relative to the registration of antique trailers.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports. Motion adopted.

The House recessed at 12:05 p.m.

RECESS

(Rep. Packard in the Chair) RESOLUTION

Rep. Tholl offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 2016 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee. Motion adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 2016, relative to the state 10-year transportation improvement program. (Chandler, Carr. 1; Public Works and Highways)

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 4, 25, 66, 193, 237, 257, 300, 343, 359, 364, 390, 405, 409, 411, 429 and 438 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 4, relative to eligibility to vote and relative to availability of voter information. (Election Law) SB 25, relative to the administration of epinephrine. (Education)

SB 66, relative to the naming of areas of the state house complex. (Legislative Administration)

SB 193-FN-L, establishing a committee to study the duties of the attorney general and the county attorneys. (Judiciary)

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions. (Executive Departments and Administration)

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. (Judiciary)

SB 300, revising banking, credit union, and trust laws. (Commerce and Consumer Affairs)

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax. (Ways and Means)

SB 359, relative to funding electric vehicle charging stations with municipal registration permits. (Transportation)

SB 364, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan. (Public Works and Highways)

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. (Executive Departments and Administration)

SB 405, making changes to the limited liability companies statutes. (Commerce and Consumer Affairs) SB 409-FN, relative to the first responder's critical injury benefit. (Labor, Industrial and Rehabilitative Services)

SB 411, relative to the merger of lots that are mortgaged. (Commerce and Consumer Affairs)

SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act." (Labor, Industrial and Rehabilitative Services)

SB 438, relative to the aesthetic maintenance of highway intersections. (Public Works and Highways)

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 5

Thursday, February 4, 2016

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Dr. Peter Chamberland, Pastor of Granite State Baptist Church in Concord.

Representative Mangipudi, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Mr. Leonard Bell, U.S. Navy retired.

LEAVES OF ABSENCE

Reps. Bartlett, Beaudoin, Chris Brown, Comtois, Duarte, June Frazer, Gargasz, Hodgdon, Kellogg, Kenison, Knowles, Ley, Patrick Long, Lundgren, Priestley, Sanders, Robert Walsh and Wheeler, the day, illness.

Reps. Bailey, Baroody, Beaulieu, Duane Brown, Rebecca Brown, Bush, Chris Christiansen, Coffey, Crawford, DiSilvestro, Doucette, Froburg, Gardner, Gile, Goulette, Martha Hennessey, Hess, Hull, Hurt, Jones, Major, Milz, Nordgren, Oligny, Parison, Parker, Peckham, Piper, Pitre, Schleien, Sherman, Stepanek, Sylvia, Sytek, Tamburello, Franklin Tilton, Tucker, White, Whitehouse and Woitkun, the day, important business.

Reps. Nelson, Chip Rice, Carol Roberts and Vann, the day, illness in the family.

Rep. Soucy, the day, death in the family.

INTRODUCTION OF GUESTS

Joseph Bell, student at Bishop Brady High School and Samuel Alicea, student at Merrimack Valley High School and grandson of Rep. Alicea, Pages for the day.

Students from the University of Southern Florida, guests of Rep. Cordelli. Jodi Hoyt, guest of Rep. Irwin. Evan Oxenham, husband of Rep. Oxenham. Cheryl Ann Turcotte, wife of Rep. Alan Turcotte. Stephanie Alicea, daughter of Rep. Alicea. Candice Benson, guest of Rep. Sanborn.

RESOLUTION

Reps. Hinch and Shurtleff offered the following: RESOLVED, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the State of the State Address by her Excellency, Governor Margaret Wood Hassan. Motion adopted.

The House recessed at 1:10 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair) SENATE MESSAGE

The Senate is ready to meet with the House of Representatives in Joint Convention for the purpose of hearing the State of the State Address by her Excellency, Governor Margaret Wood Hassan.

The Clerk introduced and the Sergeant-at-Arms escorted the Honorable Senate and Senate President, Chuck Morse.

JOINT CONVENTION (Speaker Jasper presiding)

INTRODUCTION OF SPECIAL GUESTS

The Clerk introduced and the Sergeant-at-Arms escorted the following: Deputy Administrative Judge of the Circuit Courts, David D. King. Administrative Judge of the Circuit Court, Edwin W.

Kelly. Chief Justice of the Superior Court, Tina Nadeau. Associate Justice of the Supreme Court, Robert J. Lynn. Associate Justice of the Supreme Court, Carol Ann Conboy. Senior Associate Justice of the Supreme Court, Gary E. Hicks. Chief Justice of the Supreme Court, Linda Stewart Dalianis. State Treasurer, William F. Dwyer. Executive Councilor, Joseph D. Kenney, Executive Councilor, Colin Van Ostern. Executive Councilor, Christopher R. Sununu. Executive Councilor, Christopher C. Pappas.

The Clerk introduced and the Sergeant-at-Arms escorted Governor Margaret Wood Hassan, Ben and Thomas Hassan.

Governor Hassan presented her State of the State Address to the Joint Convention.

STATE OF THE STATE ADDRESS

Mr. Speaker, Mr. Senate President, Madam Chief Justice, Honorable members of the House, Senate and Executive Council, my fellow citizens: I am honored to stand before you today to discuss our work together to set the foundation for a new generation of economic growth that will help build a stronger, more innovative New Hampshire. I'd like to take a moment to recognize our extraordinary First Gentleman, my husband Tom. Tom and I are blessed with a strong and loving family - here today with us our son Ben, my mother Peggy, sister Franny and our family of the heart, Joyce and Liz. Our daughter Meg couldn't join us today, but I owe thanks to all of my family for their steadfast support and love. This week, as our country's focus turns toward New Hampshire and our First In The Nation primary, Americans will see that the state of our state is strong - and getting stronger. By partnering together over the past three years, and bringing the traditions of hard work, collaboration and bipartisan problem-solving back to Concord, we have come a long way since the depths of the recession. Our unemployment rate continues to fall and is now 3.1 percent, which is the fourth-lowest in the country and the lowest level in nearly 15 years. And for the third year in a row, New Hampshire was ranked as the strongest state in the Union based on more than a dozen measures of our economy, the safety of our communities, and our quality of life. Our greatest strength is - and always has been - the citizens of New Hampshire. We combine a sense of community and independence unlike anywhere else, and it's that "all-hands-on-deck" spirit that keeps our state moving forward. That spirit shines through in the brave men and women of the New Hampshire National Guard, who respond to emergencies and disasters while protecting our nation, both at home and abroad. We can also see that spirit in all of our active duty servicemen and women, and our veterans, who have served bravely in defense of our freedom. Today - and every day - we thank all of our service members, veterans and their families whose selfless sacrifices make the American Dream possible. Thank you as well to all of our dedicated law enforcement officers, fire fighters and other first responders for all that you do to keep our communities safe. Every single day, Granite Staters roll up their sleeves and work together to solve problems and improve our communities, setting a strong example for us here in Concord. And following that lead, we continue to prove that we can bridge the political divide and accomplish great things together. That started with enacting two fiscally responsible, bipartisan budgets - while holding the line against a sales or an income tax. We came together and lowered taxes for small businesses, while protecting our ability to invest in critical economic priorities now and into the future. Priorities like encouraging innovation, making college more affordable for all of our people, ensuring that hard-working Granite Staters have access to quality, affordable health care, combating the heroin and opioid crisis, and fixing our roads and bridges. We put our state's financial house in order, working across party lines to end expensive lawsuits that threatened our long-term financial outlook and our bond rating. Thanks to a strong economy and careful management of our state budget, we finished Fiscal Year 2015 with a 62 million dollar surplus - doubling our Rainy Day Fund to its highest level since Fiscal Year 2009. This would not have been possible without our dedicated public servants, who continue to do more with less. Thank you to our commissioners, and to all of our hard-working state employees, for your service to the people of New Hampshire. We have made real bipartisan progress to set the foundation for a new generation of innovative economic growth. But our work to keep New Hampshire moving forward must never cease. While our state's economy remains ahead of the curve, the American economy has fundamentally changed. It is critical that we equip our people to adapt to this changing economy so that we can build a future where everyone has

the opportunity to get ahead and stay ahead. A future where New Hampshire's innovative companies can create more high-quality, 21st century jobs that will support a thriving middle class. And a future where our vibrant communities remain destinations for families, visitors and young people. We know that our people, our families and our businesses cannot grow and thrive without safe communities. And that is why the first and foremost responsibility of government is keeping our citizens safe. Thanks to our remarkable public safety officials, we are one of the safest states in the nation. But we all know that the heroin and opioid crisis remains the most pressing public health and public safety issue facing our state. Last year alone, more than 400 Granite Staters died from a drug overdose, with the majority of those deaths caused by fentanyl, heroin or another opioid. And thousands more overdosed, their lives saved only by the quick action of first responders, medical providers or family and friends. Drug overdoses are now the second-most common cause of death in New Hampshire. Today, more Granite Staters are killed by overdoses than by diabetes, breast cancer or motor vehicle accidents. We all recognize the serious threat that substance abuse poses to our people and to our high quality of life, and we have been working together to strengthen our efforts to combat this crisis. I applaud the Joint Legislative Task Force on the Heroin and Opioid Epidemic for its hard work. And I commend members of both parties for quickly acting last month to send bipartisan legislation to my desk. Thanks to that swift action, we are cracking down on fentanyl, streamlining access to treatment and strengthening our prescription drug monitoring program. But we know that this fight is far from over. We must be constant and focused in our work to strengthen these efforts, and to give patients, providers, families, educators and law enforcement better tools to combat this horrible epidemic. Combating the scourge of addiction requires us at times to change the way we have always done things, at a quicker pace than is sometimes comfortable. And it also requires additional resources and dollars. While some may say that we can't afford to take steps that require additional funding, I believe that we can't afford not to. Our economy continues to strengthen, and revenues are already more than 40 million dollars above projections this fiscal year. We can afford to address this challenge - and we must. There remains broad, bipartisan consensus around many of the other items that I proposed in November. And I thank the Senate for passing many of these measures this morning. That includes providing additional support to law enforcement in our hardest-hit communities. We have allocated funding for the State Police to assist the Manchester Police Department's "Operation Granite Hammer" in seizing illicit drugs and arresting street-level dealers. With Chief Willard's leadership, Manchester has seen great success with this initiative - and we remain profoundly grateful for law enforcement's leadership and dedication. But Manchester is not alone in facing these challenges. We need to expand this effort to support local law enforcement across the entire state. While we must continue supporting law enforcement on the front lines, every police chief I have spoken with makes it clear that we can't arrest our way out of this problem. Strengthening our prevention, treatment and recovery efforts and removing the stigma of addiction remain critical parts of a comprehensive approach. To help prevent addiction in the first place, we are working with local school districts to help our young people understand the dangers of substance abuse. Both chambers have passed legislation to build on those efforts, and we will continue working to strengthen youth prevention programs. We also know that this epidemic stems in part from the overuse, misuse and abuse of addictive prescription opioids, so we are working to improve provider training and prevent the overprescribing of opioids. We have started a series of nationally recognized provider trainings, and in the last several months, the boards of medicine, nursing and dental examiners have set a strong example by adopting emergency rules on the prescribing of opioids. Now, we must build on this example by requiring the boards governing all prescribers to adopt updated, permanent rules, this year. We must also ensure that providers have the tools they need to turn these trainings and rules into action. That includes upgrading technology to strengthen our prescription drug monitoring program and to ensure that more prescribers can use it in a timely fashion. And while our work to increase the safe and effective use of Narcan has saved lives, Narcan is not a cure. Addiction is a disease, and we must ensure that those afflicted with addiction can access services to treat this illness, just as we would for any other chronic condition. That means strengthening support for the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery and empowering first responders to connect those who they treat for an overdose with ongoing support from counselors. Across the state, those in recovery and families who have lost loved

ones have shared their stories, inspiring us with their bravery and making a profound difference in the lives of countless others battling addiction. To support them, we must ensure that New Hampshire citizens have access to immediate treatment and a robust, long-term recovery system. There is also broad consensus that we should expand existing drug courts and establish new drug courts across the state to help prevent people from slipping back into addiction and crime. But drug courts can only work if they are backed by increased treatment capacity. While we have revised licensing requirements to make it easier for providers to open treatment facilities, New Hampshire has for too long lagged behind other states for treatment capacity. That is one of the many reasons why we must reauthorize the bipartisan New Hampshire Health Protection Program without delay. Already, thousands of Granite Staters have accessed substance abuse and behavioral health services through our bipartisan expansion plan. And experts have said that re-authorizing expansion is essential to increasing treatment capacity in New Hampshire. We also know that reauthorizing expansion is critical to the health and well-being of all of our citizens, our businesses, and our economy. Just ask Damber, from Manchester, whose lack of insurance almost kept her from completing her nursing program at Plymouth State. Thanks to expansion, she received coverage and was able to continue pursuing her dream of becoming a nurse. Or ask Deborah and her husband Damon, from Conway, who own a small snow and tree removal business. They could not afford insurance for the 17 years before the New Hampshire Health Protection Program began. Thanks to coverage under expansion, Deborah received her first physical in nearly 20 years, and a doctor found and treated a number of health issues that would have increasingly threatened her ability to work. And Damon now has the peace of mind that comes with health insurance as he confronts the physically demanding tasks that come with their business. Thousands of our friends and neighbors have similar stories. More than 46,000 hard-working Granite Staters now have the health and financial security that comes with quality, affordable health coverage thanks to our bipartisan expansion plan. Since expansion began, hospitals have seen a significant decline in inpatient, outpatient and emergency room visits by uninsured Granite Staters. That means our hospitals now provide less uncompensated care, reducing the shifting of healthcare costs onto all of our people and businesses. The state has also seen an increase in revenues from the insurance premium tax, and we are beginning to see cost-savings elsewhere thanks to preventive and primary care and other benefits covered by expansion. Combined, these measures are expected to save taxpayers a total of 29 million dollars in avoided costs over the next biennium. With the expansion population now on private insurance through our premium assistance program, we are helping retain competition in our insurance marketplace, competition that will strengthen options and affordability for all Granite Staters. It's clear that the New Hampshire Health Protection Program is making a real difference for our people and boosting our economy, and we must re-authorize it now. As we continue our work to keep our communities healthy and to combat the heroin and opioid crisis facing our state, we must also confront other threats to the safety and well-being of our people. From the evolving and unique threats posed by the likes of ISIS and other terrorist organizations, to the increasing acts of gun violence and mass shootings across the country, we must continue to be vigilant in our efforts to keep our communities safe and secure. This includes our ongoing work to expand our Information and Analysis Center, enhance safety plans at our public schools, institute active shooter trainings for police departments across the state, and strengthen cyber security. And it has never been more important than it is now for New Hampshire to continue our strong practice of unified training and community policing. The Police Standards and Training Council helps prepare our dedicated officers for the challenges and dangers that they face every day. And right now, the council is facing a funding crisis. We cannot let down our dedicated and brave law enforcement officers or the people they protect. We must maintain our commitment to public safety and pass legislation that adequately funds police training. It is also our responsibility to ensure a safe environment for children, and in the rare instances where their families harm them, we must protect them. In preparation for an independent, expert review of New Hampshire's child protective services at the Division of Children Youth and Families, the Department of Justice is partnering with DCYF to provide training so that case workers can better identify potential crimes when evaluating cases of abuse and neglect. In addition, the Legislative Commission to Review Child Abuse Fatalities has recommended legislation to strengthen child abuse investigations - legislation that I stand ready to sign. Our safe and healthy communities are the

foundation of our state, and one of the reasons that New Hampshire is such a great place to live and to raise a family. And to maintain our high quality of life, we must continue working to advance other critical priorities that support economic growth and help innovative businesses create jobs - the kind of jobs that will strengthen and grow our middle class. We need to ensure that our workforce has a deep pool of highly skilled workers to meet the needs of our innovative businesses. We need a solid, modern transportation infrastructure and a more affordable energy future in order for our economy to thrive. And our small, nimble state government must remain responsive to the needs of the business community to support economic development. When I visit businesses across the state, they continue to tell me that a strong, highly educated workforce remains their number-one need. A strong workforce begins with a strong education at all levels - from early childhood, to our K-12 system, to higher education. A high school degree is rarely enough for jobs in the changing economy, and our people need access to affordable higher education in order to climb the ladder of opportunity. We have made important progress to hold down the cost of higher education. We froze in-state tuition at our university system for the first time in 25 years. And we lowered tuition at our community colleges. A new partnership is bringing state and local government together with the education community and other stakeholders to work toward a new 65 by 25 goal - ensuring that 65 percent of New Hampshire's population holds a postsecondary credential or degree by 2025. That goal is achievable - but only if everyone in this room continues working together to make higher education more attainable for all Granite Staters. We must also continue working to prepare our students at the K-12 level for higher education and the challenges of the changing economy. That is why together, we increased math requirements for our students and building on the efforts of our STEM Task Force, we are developing stronger science standards for our K-12 public schools, developing new options for math classes and integrating coding into our curriculum for a 21st-century education. Across the country, New Hampshire is recognized as a leader in competency-based education. Through our PACE pilot program, seven school districts and one charter school are now reducing the level of standardized testing in favor of more locally managed assessments that are integrated into the student's day-to-day work - a model that is expanding nationally based on our success. But in order to ensure that our schools can continue to be innovators in public education, we must meet our financial commitment to all of our students by fully funding adequacy this year. It's also critical that we continue to focus on early childhood education, which is a fundamental aspect of long-term success. Spark New Hampshire has outlined a framework to ensure that our state's children have the opportunity that they deserve to live healthy lives, receive a high-quality education, and experience economic stability at home. And to build on those efforts, we must also continue working to make full-day kindergarten a reality statewide. But as we educate our young people and build the highly skilled workforce of the future, innovative businesses looking to grow here in New Hampshire need more workers now. We have an opportunity to better use the talent of our own people right here in New Hampshire, helping our businesses thrive while closing the opportunity gap for New Hampshire's children and families. We are proud that New Hampshire's child poverty rate is among the lowest in the nation, but no child should live in poverty. And the best indicator of the long-term success of a child is the success of his or her parents. Children whose parents are able to work their way into the middle class are themselves more likely to stay in the middle class. The successful New Hampshire Working program is helping people stay at work, return to work and get ready to work. And today I am announcing a new plan - Gateway to Work - that complements New Hampshire Working to help develop and expand our workforce as our economy continues to strengthen, while at the same time closing the opportunity gap for our families. As with New Hampshire Working, Gateway to Work repurposes existing federal funds to help Granite Staters succeed in the workforce. With this new initiative, we have the opportunity to help those on the New Hampshire Health Protection Program or other state programs move into jobs that pay sustainable wages - lessening their need for public assistance. Through Gateway to Work, we will strengthen job training, create new apprenticeship opportunities, help remove the barriers that cause too many of our citizens to fail in the workplace, and help our young people get a leg up on their futures. First, we know that many good-paying jobs at innovative employers like Dartmouth-Hitchcock, Albany/Safran and Dyn require more than a high school education. So we will establish a partnership between the community college system and the business community to create apprenticeship programs in

high-need areas such as advanced manufacturing, information technology networking, and health care. These are solid, good-paying career pathways that will help expand our middle class. Second, while businesses need workers, they are often reluctant to risk the investment of time and money that comes from hiring someone who may require additional training or who lacks reliable access to child care and transportation. We will help overcome such obstacles for workers and businesses by providing employers with job-training grants and salary support for eligible workers for six weeks. This will help ensure that workers can get a fair shot at a new career, while providing businesses with the workforce that they need to grow and thrive. Third, we also know that there are individuals who face significant barriers to joining the workforce. Goodwill of Northern New England and Families in Transition have begun a pilot project in Manchester to help individuals served by the Temporary Assistance to Needy Families program overcome barriers and enter the workforce. We will partner with these non-profits and other organizations willing to address this challenge through efforts such as increasing case management, eliminating child care co-pays for TANF clients and expanding in-home visitation to work with more at-risk parents. Each of these steps will help these individuals enter and stay in the workforce. Finally, because work experience as a young person can help ensure success in school and in the workforce later in life, we will strengthen our efforts to prepare at-risk youth for the workplace. We will expand after-school and summer youth employment programs for young people, including apprenticeships and on-the-job training. And we will create a pilot program that will allow counselors to work with at-risk middle schoolers to develop education and career plans. Through Gateway to Work, we can provide more of the workers our businesses need to thrive. And we can help give more of our families the opportunity to work their way to self-sufficiency and into the middle class. This effort will also help address the healthcare workforce shortage in fields from direct care workers to pediatric nurses to psychologists. But we must do more. In our bipartisan budget, we provided resources to the Department of Health and Human Services to examine healthcare workforce shortage issues. And I will be appointing a Task Force to work with the department on that effort and to bring forward creative solutions. From those who experience disabilities to New Hampshire's seniors, addressing this shortage will allow more Granite Staters to stay at home and live independently. But to help ensure that all of our workers are able to succeed and fully support their families, we must finally restore and increase the minimum wage in New Hampshire. As we invest in giving families the opportunity to work their way to a better future, we know that the success of both our established businesses and new start-ups also depends on our efforts to continue strengthening our transportation infrastructure. Innovative public-private partnerships like Pettengill Road in Londonderry are attracting job-creating businesses to the Granite State, and the Ten-Year Transportation Plan is the next step in our work to strengthen our infrastructure. I have put forward a ten-year plan that advances critical transportation goals while maintaining fiscal responsibility and living within our projected revenues. It is a plan to preserve and fix our bridges. A plan to preserve good roads now in order to avoid more expensive projects later. A plan that begins the first phase of widening the portion of Route 106 critical for access to the New Hampshire Motor Speedway, and a plan that completes the expansion of Interstate 93. It advances and accelerates the Exit 4A project in Londonderry and Derry, which represents one of the most promising economic development opportunities in the state. And it leverages federal funds for the environmental and engineering work necessary to move forward with commuter rail from Boston to Nashua and Manchester. Each of these critical transportation projects will help set the foundation for long-term economic growth, and we must pass a Ten-Year Plan that supports these important priorities. As we work to strengthen our transportation infrastructure, we also recognize that high energy costs remain a burden on people and businesses across our region. We must strengthen our energy infrastructure and diversify our energy resources to reduce costs for our families and businesses, to create jobs, and to reach a more reliable clean-energy future. As large-scale energy projects are considered, we must work to ensure that any proposed project will deliver real benefits to our ratepayers, while incorporating local viewpoints and protecting our communities and our natural resources. And we must continue to be a leader in promoting clean air and combating climate change, which threatens our economic future and the health of our citizens. Throughout our efforts, we must never take our eyes off the imperative of building a cleaner and more sustainable energy future. Thanks to initiatives like RGGI, our Renewable Portfolio Standard and our long-term energy strategy, our

growing clean energy sector recently ranked New Hampshire as one of the top five states for renewable energy. In recent years, New Hampshire's families and businesses have invested millions of dollars in our local economy by installing solar arrays and other renewable generation facilities, decreasing the need for new transmission projects in the future. This makes our families and businesses, and our entire state, more energy independent. It also benefits our local economy. A New Hampshire Cleantech Council report estimated that fifteen to twenty thousand New Hampshire workers are now employed by the clean tech industry, at wages significantly higher than the state's average annual wage. Because of our clean energy sector's success, we are now at the statutory limit on net metering, which is a critical tool for individuals and businesses to be compensated for the energy they provide to the electric grid and to other customers. We must continue our clean energy progress, and I support the efforts from members of both parties to lift the cap on net metering. Supporting our emerging clean energy sector is critical to protecting the natural beauty that makes New Hampshire a special place to live, work, visit and raise a family. But we must also step up efforts to ensure clean water for future generations. As we prepare for the final decision in the MtBE case, we must have a plan ready for the funds if the previous decisions stand. That is why we should create a trust fund to ensure that these dollars are used for their intended purpose - removing MtBE contamination and ensuring that all Granite Staters have access to clean drinking water now and into the future. We know that transportation, affordable energy, and clean air and water are critical to a thriving economy, but we also know that there is more we must do to support our job-creating businesses. We have worked to support economic development opportunities in every corner of our state. That includes working across party lines to help move forward the redevelopment of the Balsams in the North Country – a bold vision that has the potential to revitalize the North Country's economy and have a ripple effect across the entire state. This process involved relevant state agencies and the legislature acting quickly, showing just how nimble our small state government can be. Such responsiveness is a leading economic advantage for our state. New Hampshire was also ranked as the fifth-best state for entrepreneurship, and we must continue to build on this progress. Through Live Free and Start, we are bringing together business leaders and entrepreneurs to make it easier for innovative companies to start up and grow. We have worked to modernize our securities regulations, ease the process for registering a business, and connect our start-up community with angel investors in order to increase access to capital. And Live Free and Start will continue working to help innovation-based businesses start, connect and succeed in New Hampshire, Each of these individual efforts - from combating the heroin and opioid crisis and reauthorizing the New Hampshire Health Protection Program, to workforce development and supporting innovative businesses, to reducing energy costs and protecting our environment - are fundamental to our shared economic success. We've come a long way from the depths of the recession - working together to address the priorities that are critical to supporting our vibrant communities, encouraging a thriving economy with a strong middle class, and maintaining the high quality of life that we are known for in New Hampshire. But our work to advance these priorities must continue if we are to help our citizens adapt to the changing economy and build a stronger, more innovative New Hampshire. A New Hampshire where all of our people and businesses have a fair shot to get ahead and stay ahead. These are the priorities that I have fought for since becoming Governor, and these are the priorities I will continue working on with Republicans, Democrats and Independents now and into the future. This week - more than ever - the eyes of our nation are upon New Hampshire. As the spotlight turns toward our state, Americans will see the vibrant and robust citizen-led democracy that makes New Hampshire the perfect place to host the nation's first presidential primary. They will also see a place where we make government work for our people and our businesses. A place where we embrace individualism and community like nowhere else. A place where we overcome our political differences, move past the inevitable arguments, and come together to make progress for our people, our communities and our economy. And a place where we are facing the challenges of a changing economy head on, keeping our communities safe and secure, and working together to help our families and businesses adapt and thrive. I look forward to continuing that important work with all of you. Thank you.

Rep. Hinch and Sen. Bradley moved that the Joint Convention arise. Motion adopted.

The Joint Convention adjourned.

HOUSE SESSION

(Speaker Jasper in the Chair) CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 1389, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting, removed by Rep. Spillane.

HB 1621-FN-L, relative to sanctuary cities, removed by Rep. Baldasaro.

HB 1295-FN, eliminating the bureau of certificate of title, removed by Rep. Marple.

Consent Calendar adopted.

HB 1620-FN-A, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. INEXPEDIENT TO LEGISLATE.

Rep. Kimberly Rice for Children and Family Law. The committee concluded the bill's concept needs to be worked on because it does not meet the needs as described in this bill. Vote 11-0.

HB 1651, establishing a commission to study the collection of child abuse data. OUGHT TO PASS WITH AMENDMENT.

Rep. Martha Hennessey for Children and Family Law. This bill as amended directs the current commission to review child abuse fatalities to identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source. Vote 12-0.

Amendment (0097h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the commission to review child abuse fatalities.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Duties of the Commission to Review Child Abuse Fatalities; Identification of Sources of Child Abuse Data. Amend RSA 169-C:39-k, III by inserting after subparagraph (d) the following new subparagraph:

(e) Identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source. The commission shall solicit information and testimony from individuals and entities with experience and expertise relevant to the study, including the division of public health services, the department of safety, the Crimes Against Children Research Center at the university of New Hampshire, the Granite State Children's Alliance, the New Hampshire Association of Chiefs of Police, the New Hampshire Hospital Association, and a circuit court judge of the family division.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill directs the commission to review child abuse fatalities to identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source.

HB 1168, relative to decrees pro confesso in title dispute actions. INEXPEDIENT TO LEGISLATE. Rep. David Woodbury for Judiciary. In essence, this bill seeks to avoid default judgment in title dispute actions once a respondent has filed an answer. Defaults under the present practice may be entered by the court for various reasons. Presumably, this bill would remove the judge's discretion to manage litigation in an orderly manner. Secondly, this bill calls for a noticed hearing or assessment of damages, but such damages are not assessed in title disputes, the subject of this bill. Vote 17-0.

HB 1107, changing the name of Sargent's Purchase to Marilla Ricker. INEXPEDIENT TO LEGISLATE.

Rep. Bruce Tatro for Municipal and County Government. Marilla Ricker was a person who has contributed to the state and such contributions deserve recognition. An extensive amount of information on her history was demonstrated to the committee. However, changing the name of Sargent's Purchase which was also named from NH historical events seemed inappropriate. Suggestions such as naming un-named areas or erecting a monument to Marilla's recognition were mentioned but

the committee saw no support in re-naming an already named unincorporated area even if there were not recorded residents. The costs of changing maps and other material and the realization that Mount Washington would no longer be in Sargent's Purchase and would now be in Marilla Ricker township was discounted by the committee. Vote 12-0.

HB 1123, relative to a property tax exemption for certain stand-by generators. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill proposes to allow cities and towns to grant a property tax exemption for residential standby generators to all persons over age 65 or with a "medical necessity." Determination of the medical necessity was problematic with no reference to either a VA or Social Security defined disability. Existing statutes already address the aged population with local exemptions and the committee felt these statutes more than covered anything presented in this bill. The committee also heard that some towns do not bother to assess these units. Vote 15-0.

HB 1230, relative to information on dog licenses. INEXPEDIENT TO LEGISLATE.

Rep. Keith Ammon for Municipal and County Government. The purpose of this bill is admirable and the mandate is minimal. At the time of issuing a dog license, the issuing authority would be required to ask the owner if there should be a second contact name added to the license. This would facilitate a second contact person in the event the original could not be contacted or, in emergencies, if the original person was unable to care for the dog. It would simply direct the licensing authority to add the name of that contact person with contact information. The possibility that this would require a change to the form used for licensing was considered but the sponsor felt that simply adding the information to the bottom of the form would be sufficient. However, the committee felt it inevitable that the license form would require a change and any software recording licensing would be affected and require a change. There appears to be no impediment to adding a note on the license form to indicate a second contact person but mandating it would likely impose a financial burden. Vote 13-0.

HB 1243-FN-L, relative to storm water or sewage penalties. OUGHT TO PASS WITH AMEND-MENT.

Rep. Ken Peterson for Municipal and County Government. The main purpose of this bill was to reduce the maximum penalty for violations pertaining to sewage and storm water ordinances. The current maximum fine of \$10,000 per day was felt to be excessive and the sponsors wished to modify this to a maximum amount of \$1,000 per day. After hearing testimony that these fines are not automatically enacted and only become an issue when the violator either refuses to respond to notices of violations or refuses to take remedial action, the proposed maximum amount was deemed to be too minimal to serve as a deterrent. The committee felt that the original amount should remain since the existing statute states that the penalty is "not to exceed \$10,000 per day of violation" and the municipality already has the ability to set \$1,000 as the maximum penalty. However, other wording in the statute was deemed in need of some attention and the committee opted to amend the current statute in other areas. The committee felt that communities with relatively few and/or smaller violations would enact smaller maximum fines than those communities that might have to enact larger fines for larger and/or recurring major violations. Language was added to allow ordinances or bylaws to include a schedule of penalties for violations up to the current maximum allowed. Vote 14-1.

Amendment (0112h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 New Paragraph; Sewers; Bylaws and Ordinances. Amend RSA 149-I:6 by inserting after paragraph I-a the following new paragraph:
- I-b. Any ordinances or bylaws adopted pursuant to this section may include a schedule of penalties for violations of the requirements adopted to ensure the proper maintenance and operation of the sewage system, stormwater system, or stormwater utility, as applicable. Any penalty so established shall constitute the civil penalty under paragraph II and shall be enforceable in the same manner. Any such penalty may be in any amount up to the maximum stated in paragraph II.
 - 2 Sewers; Bylaws and Ordinances. Amend RSA 149-I:6, II to read as follows:
- II. Any person who violates any ordinance or bylaw adopted pursuant to paragraph I or I-a of this section shall be subject to a civil penalty not to exceed \$10,000 per day of such violation. Each day a violation continues shall be a separate offense. In addition, the municipality may petition the court for any appropriate action to prevent, enjoin, abate, or remove the violation.

3 New Paragraphs; Sewers; Bylaws and Ordinances. Amend RSA 149-I:6 by inserting after paragraph III the following new paragraphs:

IV. In any action brought by a municipality for injunctive relief or recovery of civil penalties under paragraph II in which the municipality prevails, the court shall award to the municipality its costs and reasonable attorney fees actually expended in pursuing the action, to be paid by the violator. For the purposes of this paragraph, recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to inspection fees, expert fees, and investigatory expenses.

V. If any violation of a local ordinance or bylaw under paragraph I or I-a results in the expenditure of public funds by a municipality which are not reimbursed under paragraph IV, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the municipality for the funds expended.

VI. The superior court may, upon a petition filed by a municipality and after notice and a preliminary hearing as in the case of prejudgment attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief which may be ordered or both. At the hearing, the burden shall be on the municipality to show that it is likely to prevail on the merits, that the penalties or remedies sought are likely to be awarded by the court in an amount consistent with the bond sought, and that the bond represents the amount of the projected expense of compliance with the injunctive relief sought.

VII. The municipality may commence an action for civil penalties under paragraph II either in the district court pursuant to RSA 502-A:11-a, or in the superior court.

4 Effective Date. This act shall take effect January 1, 2017.

Referred to the Committee on Judiciary.

HB 1375, relative to charter commissions for budgets in official ballot jurisdictions. OUGHT TO PASS. Rep. Keith Ammon for Municipal and County Government. This bill is the result of a study committee's work over the summer and combines the intent of both SB 242 and HB 689. In SB2 towns and school districts, the current one-size-fits-all method of calculating default budgets and dealing with proposed budgets at the deliberative session doesn't work for every community. This enabling legislation would allow a municipality to establish a charter commission with the sole mission of creating a new budgeting process that works best for the community. The charter commission would operate under defined procedures in existing statutes. Vote 16-0.

HB 1526-FN-L, providing for the election of members of the county convention as a separate county office. **INEXPEDIENT TO LEGISLATE**.

Rep. Catherine Cheney for Municipal and County Government. This bill would have the county convention be elected from at large citizens and would eliminate the requirement that the convention be composed of state representatives. A state representative could still serve as a member of the convention but would have to be elected to that office. In the two largest counties in NH, this would have required an additional election of hundreds of individuals. The insight and knowledge obtained at the state level by elected state representatives in the routine performance of their duties is beneficial in making decisions at the county level. The result could be that the county delegation and the county convention would be composed of two different groups of people. The bill also prohibits a person elected to the county convention from holding many other elected offices. The costs of administering such an election process was not disclosed although this bill was headed to another committee to deal with the financial implications. The committee felt, at this time, the current composition was not in need of any change without further study. Vote 15-0.

HB 1251-FN-A, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. **INEXPEDIENT TO LEGISLATE**.

Rep. Mark McConkey for Public Works and Highways. Main Street in Pittsfield is an unnumbered state highway and unnumbered state highways have traditionally not been a part of the ten year transportation plan. Historically these categories of highways are funded through the betterment program or other state local match programs. Although not totally reconstructed, a portion of the road in question was paved last year and another portion is scheduled for this season. There are many unnumbered state highways throughout the state that have not received any work in recent years, but the Department of Transportation has recognized the need in Pittsfield and is addressing it. There are state local match programs available should the town wish to avail themselves of these opportunities. Vote 16-0.

HB 1567-FN-A, authorizing friends of animal number plates. **INEXPEDIENT TO LEGISLATE.** Rep. Alan Cohen for Transportation. The committee evaluated the bill in relation to all such specialty license plates. Based on previous testimony by the Department of Safety, the cost of producing specialty license plates is approximately \$300K based substantially on the cost of software changes. Vote 18-0.

HB 1583-FN, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. REFER FOR INTERIM STUDY. Rep. Karel Crawford for Transportation. Although the committee felt that this was a well intended bill there were too many unanswered questions of constitutionality in collecting the funds, and how DMV would actually administer the program. Vote 18-0.

HB 1655-FN, relative to registration fees for agricultural/industrial utility vehicles. OUGHT TO PASS WITH AMENDMENT.

Rep. Chris True for Transportation. This bill returns the registration fee pertaining to agricultural/industrial utility vehicles to its 2014 level. The amendment clarifies existing confusion among town and city clerks regarding whether industrial utility vehicles are eligible as agricultural vehicles. The amendment also maintains the current flat fee of \$5. Vote 16-0.

Amendment (0193h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture.

Amend the bill by replacing all after the enacting clause with the following:

1 Fees for Registration Permits. Amend RSA 261:153, I to read as follows:

I. The treasurer of each city, or such other person as the city government may designate, and the town clerk of each town shall collect fees for such permits as follows: on each vehicle offered for registration a sum equal to 18 mills on each dollar of the maker's list price for the first preceding model year vehicle, 15 mills on each dollar of the maker's list price for the second preceding model year vehicle, 9 mills on each dollar of the maker's list price for the third preceding model year vehicle, 6 mills on each dollar of the maker's list price for the fourth preceding model year vehicle, and 3 mills on each dollar of the maker's list price for the fourth preceding model year vehicle, and 3 mills on each dollar of the maker's list price for the fifth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be less than \$5. Registration permit fees for construction equipment, as defined in RSA 259:42, shall be governed by RSA 261:64. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. The fee collected hereunder for a vehicle used only in the manner and for the purposes specified in RSA 261:82 and for an agricultural/industrial utility vehicle used exclusively for farming or agriculture shall be \$5; and provided further, that the fee collected hereunder for a farm tractor shall be \$5. In cases of doubt, the director may investigate for the purpose of determining eligibility for limited purpose registrations.

2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill establishes the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture.

Referred to the Committee on Ways and Means.

HB 1666-FN, relative to certain definitions in the motor vehicles law. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. This bill would effectively repeal registration requirements for all non-commercial New Hampshire vehicles. The magnitude of the fiscal impact makes it impossible to pass. Vote 18-0.

REGULAR CALENDAR

HB 1272-FN, relative to bus transportation for chartered public school students. OUGHT TO PASS. Rep. Ralph Boehm for Education. This bill provides for transportation to public charter schools if the charter school is in the school district. This bill only mandates bus transportation in accordance with the same terms and conditions as they provide to their regular public schools. Current law states that transportation be provided for private schools in the school district. Vote 11-8. Rep. Ladd offered floor amendment (0414h).

Floor Amendment (0414h)

Amend the bill by replacing all after the enacting clause with the following:

1 Chartered Public Schools; Establishment. Amend RSA 194-B:2, V to read as follows:

V. Attendance at a chartered public school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the chartered public school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for [in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other] regular public schools [within that] in the district and utilizing the same regular bus schedules and routes that are provided to pupils attending public schools within that district. [However, any added costs for such transportation services shall be borne by the chartered public school.]

2 Effective Date. This act shall take effect July 1, 2016.

Rep. Ladd spoke in favor.

Floor amendment (0414h) adopted.

Committee report of Ought to Pass with Amendment adopted and ordered to third reading.

HB 1127, relative to qualifications of referees in the superior courts and circuit courts. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Mark McLean for the Majority of Judiciary. RSA 490-F:15 grants the circuit court the power to assign referees to any non-jury case including marital cases. In some cases these referees and masters are former or retired judges, retired clerks, or retired court staff, but as the existing statutes do not specify the qualifications required, those currently holding positions as referees come from a wide range of experience level. This latitude of experience has the potential to create inconsistency in the application of justice in the court. Additionally, because referees and masters who are not former judges are not officers of the state (they are employees only), there is no legislative or executive oversight of these positions. This bill seeks to introduce a modest provision requiring that all referees, marital referees, or marital masters who are not former or retired judges be commissioned as justices of the peace. The committee reviewed the requirements to serve as a justice of the peace and found that they were not overly burdensome. Because justices of the peace are public state officers who receive their commission from the Governor and Council, this bill will make it possible for the legislative or executive branch to oversee referees and masters. Vote 10-8.

Rep. David Woodbury for the Minority of Judiciary. Requiring a referee or master of become a justice of the peace not only subjects that person to removal by bill of address, but more importantly subjects that person to what amounts to a retention election when their commission expires. This subjects the master/referee to the push and pull of partisan politics by having to curry favor with a majority of Governor and Council upon renewal of their commission. This runs counter to our entire state history of fostering judicial independence. This bill represents bad policy and should be rejected.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Woodbury spoke against and yielded to questions.

Rep. McLean spoke in favor and yielded to questions.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 185 NAYS 124

YEAS - 185

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Russell, David	Spanos, Peter	Vadney, Herbert

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn	
McCarthy, Frank	McConkey, Mark	Schmidt, Stephen	Umberger, Karen	
Wright, Ted				

CHESHIRE

Hunt, John McConnell, James Shepardson, Marjorie Sterling, Franklin Tilton, Benjamin

Fothergill, John Rappaport, Laurence Tholl, John Thomas, Yvonne

CDAETO

Richardson, Herbert Rideout, Leon

GRAFTON

Darrow, Stephen Gionet, Edmond Hennessey, Erin Ingbretson, Paul Johnson, Eric Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Barry, Richard Belanger, James Biggie, Barbara Boehm, Ralph Bouldin, Amanda Christiansen, Lars Burt, John Byron, Frank Christie, Rick Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gonzalez, Carlos Gould, Linda Griffin, Barbara Gagne, Larry Haistead, Carolyn Hansen, Peter Guerette, C. Lee Haefner, Robert Hinch, Richard Hogan, Edith Hopper, Gary Kurk, Neal McCarthy, Peggy McClarren, Donald Lachance, Joseph LeBrun, Donald Murotake, David McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Ober, Russell Ober, Lynne Ohm, Bill Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Rouillard, Claire Rowe, Robert Proulx, Mark Rice, Kimberly Sanborn, Laurie Scontsas, Lisa Seidel, Carl Simmons, Tammy Smith, Gregory Souza, Kathleen Sullivan, Victoria Straight, Phillip Twombly, Timothy Wolf, Terry Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kotowski, Frank Kidder, David Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Marv Barnes, Arthur Bates, David Chirichiello, Brian Belanger, Ronald Christie, Andrew Cook, Allen Dean-Bailey, Yvonne Devine, James Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Fesh, Robert Friel, William Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Hagan, Joseph Harris, Jeffrey Hoelzel, Kathleen Introne, Robert Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter McMahon, Charles Manning, John Matthews, Carolyn Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Potucek, John Prudhomme-O'Brien, Katherine Rice. Frederick Schroadter, Adam Spillane, James Tasker, Kyle Thomas, Douglas Tilton, Rio True, Chris Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Bickford, David Cheney, Catherine DeLemus, Susan Graham, Robert
Gray, James Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas
Leeman, Don Mullen, John Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Schmidt, Andrew Smith, Steven

NAYS - 124 CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Mann, John Pearson, William Phillips, Larry Roberts, Kris Robertson, Timothy Sad, Tara Tatro, Bruce Weber, Lucy

COOS

Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Higgins, Patricia Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Cornell, Patricia Backus, Robert Brown, Pamela Cohen, Alan Cote, David Edwards, Elizabeth Forest, Armand Freitas, Mary Gidge, Kenneth Golev, Jeffrey Gorman, Mary Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Jack, Martin Jeudy, Jean Leishman, Peter Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael O'Neil, William Marston, Dick Shattuck, Gilman Porter, Marjorie Rosenwald, Cindy Shaw, Barbara Takesian, Charlene Smith, Timothy Snow, Kendall Sullivan, Daniel Williams, Kermit Woodbury, David

MERRIMACK

Alicea, Caroletta Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel. Karen French, Barbara Henle, Paul Hirsch, Geoffrey Karrick, David Luneau, David MacKay, James Moffett, Howard Myler, Mei Patten, Dick Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Pantelakos, Laura Simpson, Alexis Ward, Gerald

STRAFFORD

Bixby, Peter Baber, William Berube, Roger Burton, Wayne Kaen, Naida Rollo, Deanna DiSesa, Len Horrigan, Timothy Southworth, Thomas Schmidt, Peter Smith, Marjorie Spang, Judith Sprague, Dale Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

SPECIAL ORDER

HB 1350, relative to allodial rights and violations of the oath of office. INEXPEDIENT TO LEGISLATE.

Rep. Gary Hopper for Judiciary. This bill would require that any public official who knowingly diminishes the allodial land right of a New Hampshire resident would be tried for treason. An allodial land right is an absolute right to your land and any building on it. If it is absolute, it can't be taxed, zoned, or taken via eminent domain. The majority of the Judiciary Committee found the sponsors' understanding of land rights, at the time of Constitution was written, to be inconsistent with the Constitution itself. In 1784, Part I, Article 6 [Morality and Piety] said, "Legislature to authorize from time to time, the several towns, parishes, bodies-corporate, or religious societies within this State, to make adequate provision at their own expense, for the support and maintenance of public Protestant teachers of piety, religion and morality." This was followed by the legislature requiring that each town tax its people based on their property value, in order to hire teachers. If the founders of this state had believed in allodial land rights, they wouldn't have taxed the people's property. Vote 16-1.

Rep. Marple spoke against.

Rep. Hopper spoke in favor.

Committee report adopted.

SPECIAL ORDER

CACR 15, relating to the election of judges. Providing that judges be elected for specific terms. INEXPEDIENT TO LEGISLATE.

Rep. Timothy Horrigan for Judiciary. This resolution is the most recent version of an idea which has been proposed and rejected many times before: electing judges. The committee concluded that this proposal should be rejected again. Throughout the history of our state, judges have been appointed by the Governor and Executive Council after an exhaustive selection process. The people have ample opportunity to comment on the judicial nominees' qualifications and personal character throughout this selection process. Once in office, judges are held to the highest personal and professional standards and they can be removed from office if they behave badly, but they are free of outside political pressure. Our judges do not have to run for re-election, which means they do not have to promise to rule one way or another on certain types of cases just to get political endorsements, nor do they have to raise campaign funds. Our judges can remain truly impartial and independent. The committee finally notes that no one aside from the prime sponsor showed up to testify in favor of this resolution, the prime sponsor gave only a brief oral presentation, and the resolution as introduced failed to address a number of essential issues, e.g., the length of the judges' terms, and who would be qualified to run for judicial office. Vote 16-0.

Rep. Horrigan spoke in favor.

Rep. Gannon spoke against and requested a roll call; sufficiently seconded.

YEAS 220 NAYS 85

YEAS - 220 BELKNAP

Dumais, Russell Howard, Jr., Raymond Spanos, Peter	Fields, Dennis LeBreche, Shari	Flanders, Donald Luther, Robert	Gallagher, Brian Russell, David
	CAF	RROLL	
Buco, Thomas Schmidt, Stephen	Butler, Edward Ticehurst, Susan	Chandler, Gene Umberger, Karen	McConkey, Mark
	CHE	SHIRE	
Abbott, Michael Chase, Cynthia Mann, John	Ames, Richard Eaton, Daniel Pearson, William	Berch, Paul Hunt, John Phillips, Larry	Bordenet, John Johnsen, Gladys Roberts, Kris
Robertson, Timothy Tatro, Bruce	Sad, Tara Weber, Lucy	Shepardson, Marjorie	Sterling, Franklin

COOS

Fotheraill, John Moynihan, Wayne Tholi, John

Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard Hennessey, Erin Massimilla, Linda Townsend, Charles

Almy, Susan Higgins, Patricia Shackett, Jeffrey Cooney, Mary Ladd, Rick Smith, Suzanne Ford, Susan Maes. Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Biggie, Barbara Cohen, Alan Eastman, Eric Freitas, Mary Gonzalez, Carlos Guerette, C. Lee Hansen, Peter Hinch, Richard Kurk, Neal Manley, Jonathan O'Brien, Michael Pellegrino, Anthony Proulx, Mark Seidel, Carl Snow, Kendall Williams, Kermit

Balcom, John Brown, Pamela Cornell, Patricia Edwards, Elizabeth Gagne, Larry Gorman, Mary Haefner, Robert Harvey, Suzanne Hopper, Gary LeBrun, Donald McCarthy, Peggy O'Neil, William Peterson, Ken Rosenwald, Cindy Shattuck, Gilman Straight, Phillip Wolf, Terry

Barry, Richard Byron, Frank Cote, David Flanagan, Jack Gidge, Kenneth Gould, Linda Halstead, Carolyn Heath, Mary Jack, Martin Leishman, Peter McLean, Mark Ober, Russell Pierce, David Rouillard, Claire Smith, Gregory Sullivan, Daniel Woodbury, David

Belanger, James Christiansen, Lars Danielson, David Forest, Armand Goley, Jeffrey Griffin, Barbara Hansberry, Daniel Herbert, Christopher Jeudy, Jean Mangipudi, Latha McNamara, Richard Palmer, Barry Porter, Marjorie Rowe, Robert Smith, Timothy Takesian, Charlene

MERRIMACK

Alicea, Caroletta Doherty, David Hirsch, Geoffrey Long, Douglas Myler, Mel Rogers, Katherine Turcotte, Alan

Bradley, Paula Ebel. Karen Karrick, David Luneau, David Parent, Jason Saunderson, George Wallner, Mary Jane

Carson, Clyde French, Barbara Kidder, David MacKay, James Patten, Dick Schuett, Dianne Walsh, Thomas

Deloge, Helen Henle, Paul Kotowski, Frank Moffett, Howard Ratzki, Mario Shurtleff, Stephen

Borden, David

ROCKINGHAM

Abrami, Patrick Cahill, Michael Cushing, Robert Elliott, Robert Friel, William Hagan, Joseph Kappler, Lawrence Matthews, Carolyn O'Connor, John Rice. Frederick Webb, James

Allen, Mary Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Ferrante, Beverly Gordon, Pamela Heffron, Frank Katsakiores, Phyllis McBeath, Rebecca Packard, Sherman Simpson, Alexis Welch, David

Berrien, Skip Cardon, G. Thomas Devine, James Fesh, Robert Griffin, Mary Hoelzel, Kathleen Kolodziei, Walter McMahon, Charles Pantelakos, Laura Tilton, Rio

Christie, Andrew DiFranco, Debbie Francese, Paula Guthrie, Joseph Introne, Robert Lovejoy, Patricia Nigrello, Robert Prudhomme-O'Brien, Katherine Ward, Gerald

STRAFFORD

Baber, William Burton, Wayne Gray, James Schmidt, Peter Sprague, Dale Wuelper, Kurt

Berube, Roger Cheney, Catherine Horrigan, Timothy Smith, Marjorie Treleaven, Susan

Bickford, David DiSesa, Len Kaen, Naida Southworth, Thomas Verschueren, James Bixby, Peter Graham, Robert Rollo, Deanna Spang, Judith Wall, Janet

McCarthy, Frank

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Schmidt, Andrew Smith, Steven

> NAYS - 85 BELKNAP

Aldrich, Glen Fraser, Valerie Vadney, Herbert

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn

Wright, Ted

CHESHIRE

McConnell, James Tilton, Benjamin

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Darrow, Stephen Gionet, Edmond Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Ammon, Keith Burt, John Christie, Rick Donovan, Daniel Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Hogan, Edith Lachance, Joseph Marston, Dick McClarren, Donald Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Rice, Kimberly Sanborn, Laurie Scontsas, Lisa Simmons, Tammy Souza, Kathleen Sullivan, Victoria Twombly, Timothy Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kuch, Bill Marple, Richard Martin, John
McGuire, Carol McGuire, Dan Seaworth, Brian

ROCKINGHAM

Abramson, Max Barnes, Arthur Bates, David Chirichiello, Brian Cook, Allen Emerick, J. Tracy Gannon, William Gordon, Richard Green, Dennis Harris, Jeffrey Itse. Daniel Manning, John Osborne, Jason Potucek, John Schroadter, Adam Spillane, James Tasker, Kyle Thomas, Douglas True, Chris Vose, Michael Ward, Joanne Weyler, Kenneth

STRAFFORD

DeLemus, Susan Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas Leeman, Don Mullen, John Turcotte, Leonard

SULLIVAN

Laware, Thomas Rollins, Skip and the committee report was adopted.

HB 1214, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Franklin Sterling for the Majority of Municipal and County Government. Towns and cities would be authorized to levy a local tax on hotel occupancy under this proposed bill. Although

minimal, it would establish yet another tax and it is unclear what the costs of administering this program would be. The bill implies that the tax would simply be administered under the current Meals and Rooms Tax program but the funds received would have to be returned to the municipality which collected it and would not be subject to the education funding that is part of the current Meals and Rooms Tax structure. Therefore, it would require separate accounting and possibly additional costs at the state level which would need to be considered in setting budgets. Setting a new tax on room occupancy that would vary from municipality to municipality could have an adverse effect on tourism and the unintended consequences of such a change are undeterminable at this time. The committee felt this legislation, although permitted in other states, was not in keeping with our low tax image. Vote 10-6.

Rep. Marjorie Porter for the Minority of Municipal and County Government. As we are all aware, budgetary constraints have resulted in the state reducing the share of the meals and rooms tax revenues sent back to cities and towns by tens of millions of dollars over the past several budget cycles. Communities which are tourist destinations have been hit particularly hard by this downshifting. Local property tax payers must foot the costs for the extra municipal services needed when their populations swell during tourist season. Extra police may be needed or specialized fire equipment must be purchased, for example. HB 1214 allows these communities, if they so choose, to add an additional surcharge, not to exceed \$2.00, on hotel occupancy within the municipality under the meals and room tax. In this way, visitors would help pay for services they use, and the burden on local taxpayers would be reduced. This is enabling legislation, and allows for local control.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Porter and Frederick Rice spoke against and yielded to questions.

Reps. Pantelakos and Herbert spoke against.

Rep. Sterling spoke in favor.

Danielson, David

Ferreira, Elizabeth

Gidge, Kenneth

Rep. Pantelakos requested a roll call; sufficiently seconded.

Eastman, Eric

Flanagan, Jack

Gonzalez, Carlos

YEAS 185 NAYS 119

YEAS - 185 RELKNAP

D.	ELMIAI	
Dumais, Russell Gallagher, Brian Spanos, Peter	Fields, Dennis Howard, Jr., Raymond Vadney, Herbert	Flanders, Donald LeBreche, Shari
C	ARROLL	
Buco, Thomas McConkey, Mark	Chandler, Gene Schmidt, Stephen	Comeau, Ed Umberger, Karen
CI	HESHIRE	
Hunt, John Tatro, Bruce	McConnell, James	Roberts, Kris
,	COOS	
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
G	RAFTON	
Gionet, Edmond Shackett, Jeffrey	Hennessey, Erin	Johnson, Eric
HILL	SBOROUGH	
Ammon, Keith Biggie, Barbara Byron, Frank	Balcom, John Boehm, Ralph Christie, Bick	Barry, Richard Bouldin, Amanda Cote, David
	Dumais, Russell Gallagher, Brian Spanos, Peter C. Buco, Thomas McConkey, Mark CI Hunt, John Tatro, Bruce Rappaport, Laurence Gionet, Edmond Shackett, Jeffrey HILL Ammon, Keith	Dumais, Russell Gallagher, Brian Spanos, Peter CARROLL Buco, Thomas McConkey, Mark CHESHIRE Hunt, John Tatro, Bruce COOS Rappaport, Laurence GRAFTON Gionet, Edmond Shackett, Jeffrey HILLSBOROUGH Ammon, Keith Biggie, Barbara Fields, Dennis Howard, Jr., Raymond Vadney, Herbert CARROLL Chandler, Gene Schmidt, Stephen CHESHIRE McConnell, James Tatro, Bruce COOS Rappaport, Laurence Richardson, Herbert GRAFTON Hennessey, Erin Balcom, John Boehm, Ralph

Edelblut, Frank

Fromuth, Bart

Gould, Linda

Estevez, Eric

Gagne, Larry

Griffin, Barbara

Haefner, Robert	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Kurk, Neal	Lachance, Joseph
•	** *		
LeBrun, Donald	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Pierce, David	Proulx, Mark	Rice, Kimberly
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Smith, Timothy	Souza, Kathleen	Straight, Phillip	Sullivan, Victoria
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
	MI	FRRIMACK	

MERKIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Patten, Dick Seaworth, Brian Shurtleff, Stephen Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Barnes, Arthur Allen, Mary Bates, David Belanger, Ronald Cardon, G. Thomas Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne Devine, James Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Fesh, Robert Friel, William Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Hagan, Joseph Harris, Jeffrey Hoelzel, Kathleen Introne, Robert Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Manning, John Matthews, Carolyn McMahon, Charles O'Connor, John Packard, Sherman Osborne, Jason Potucek, John Prudhomme-O'Brien, Katherine Schroadter, Adam Spillane, James Tasker, Kyle Thomas, Douglas Tilton, Rio True, Chris Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Bickford, David Cheney, Catherine DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas Leeman, Don Mullen, John Sprague, Dale Treleaven, Susan Verschueren, James Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 119 CARROLL

Butler, Edward McCarthy, Frank Ticehurst, Susan Wright, Ted

CHESHIRE

Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Mann, John Pearson, William Phillips, Larry Robertson, Timothy Sad, Tara Shepardson, Marjorie Tilton, Benjamin Weber, Lucy

COOS

Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Higgins, Patricia Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Backus, Robert	Brown, Pamela	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Donovan, Daniel	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Leishman, Peter	Mangipudi, Latha
Manley, Jonathan	Marston, Dick	McNamara, Richard	O'Brien, Michael
O'Neil, William	Peterson, Ken	Porter, Marjorie	Shattuck, Gilman
Snow, Kendall	Sullivan, Daniel	Williams, Kermit	Woodbury, David

MERRIMACK

Bradley, Paula	Carson, Clyde	Deloge, Helen
Ebel, Karen	French, Barbara	Henle, Paul
Karrick, David	Luneau, David	MacKay, James
Myler, Mel	Ratzki, Mario	Rogers, Katherine
Schuett, Dianne	Turcotte, Alan	Wallner, Mary Jane
	Ebel, Karen Karrick, David Myler, Mel	Ebel, Karen French, Barbara Karrick, David Luneau, David Myler, Mel Ratzki, Mario

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Nigrello, Robert
Pantelakos, Laura	Rice, Frederick	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Wall, Janet

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne		
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew		
and the majority committee report was adopted.					

HB 1221, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. Franklin Sterling for the Majority of Municipal and County Government. This bill is yet another attempt to define what items are "one time expenses" for the purpose of creating a "default" budget in official ballot communities and school districts. The committee recommended Inexpedient to Legislate as this definition might work for the school district of the sponsors, it will certainly be a change to what other districts are doing and we will see another bill next session to change the definition yet again. The committee felt that HB 1375 was the better solution. Vote 12-4.

Rep. Catherine Cheney for the Minority of Municipal and County Government. The committee heard there is a need to solve the problem of default budgets in official ballot municipalities and this needs more study which this bill might have done.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Abramson spoke against.

Rep. Sterling spoke in favor.

On a division vote, with 224 members having voted in the affirmative and 67 in the negative, the majority committee report was adopted.

HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. Franklin Sterling for the Majority of Municipal and County Government. HB 1402 would prohibit the state and political subdivisions from acquiring military-equipped vehicles or equipment not readily available on the commercial market. This is identical to HB 407 introduced in 2015. HB 1402 has the same fault as the previous bill in that it calls for any hardware or equipment already in the possession

of municipalities be forfeited but does not provide an entity to turn it over to. HB 407 was turned into a study committee with a reporting date of November 2016. The study committee has not completed its work at this time and should be allowed to complete its work before any legislation is introduced on this subject. Although there is committee support for addressing this issue, it was felt premature to adopt legislation that is subject to change based on any study committee findings. The committee options, therefore, would be Inexpedient to Legislate (ITL) or Refer for Interim Study (RIS). Since there is likely to be new legislation that will result from the current study committee, RIS seemed to be a duplication of effort, ITL was deemed the appropriate motion. Vote 11-4.

Rep. Keith Ammon for the Minority of Municipal and County Government. Police departments should be part of the community and not styled after an occupying military force. The proliferation of military-style weapons among domestic law enforcement is a troubling trend. Last year President Obama issued an executive order limiting the types of weapons and equipment that domestic police departments are allowed to possess. However, executive orders can be reversed by the next administration. The minority felt that killing this bill sends the wrong message regarding this issue and instead wanted the bill Referred for Interim Study. A study committee created by a similar bill last year is still meeting and has yet to release its findings. Defining military style equipment may be difficult to do. We wouldn't want to prevent police departments from obtaining defensive gear that would protect the safety of officers. Perhaps, though, it is possible to codify some of the rules contained in the President's executive order into New Hampshire law, so that it cannot easily be reversed by a future presidential administration.

MOTION TO LAY ON THE TABLE

Rep. Hoell moved that **HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1576-FN-L, repealing the licensure of dogs. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Susan Treleaven for the Majority of Municipal and County Government. The proposal to eliminate licensing of dogs has been before this legislature several times and was always defeated. Although there is evidence that this practice was instituted to fund "damage done by dogs" to local sheep, it has become more than that today. The fact that other animals are not required to be licensed was brought up but most of those cited were animals that are normally confined and most not subject to spreading rabies. Without licensing, strays would be almost impossible to identify, the requirement for rabies vaccinations could be largely ignored and many programs of benefit to the public would go unfunded. Testing for rabies at the State Diagnostic Lab would be curtailed as well as other animal related programs and even the office of the State Veterinarian would suffer. The committee saw little support for this legislation, which was also the case in prior year attempts to do the same. Vote 12-3. Rep. Keith Ammon for the Minority of Municipal and County Government. The history of dog licensure can be traced back to the 1800s when it was a community fund to be used to compensate farmers for damage to their livestock by dogs. It has since morphed into a compulsory regulatory scheme, and once a tax or regulatory scheme is in place it's almost impossible to dislodge it. Outside interests lobby to keep it. Quite often, if a dog owner forgets to renew their license, warrants are issued by the town and the police are dispatched to their home to remind them to pay. This seems like a preposterous use of law enforcement resources. The United Kingdom abolished mandatory dog licensing in 1987 and canine chaos has not ensued. Some dog owners resent being taxed on their best friend. Majority committee report adopted.

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. OUGHT TO PASS.

Rep. Erin Hennessey for Public Works and Highways. This bill seeks to name the Interstate 93 Exit 44 welcome center after the late executive councilor Raymond S. Burton. Councilor Burton was instrumental in the opening of the exit 44 welcome center in the late 1980's. He also enthusiastically and tirelessly served his constituents of the North Country for over 32 years. The committee heard testimony that this bill has received wide-spread support in the local community. This bill has no fiscal impact. Vote 14-0. Committee report adopted and ordered to third reading.

HB 1430-FN, relative to registration of compact utility tractors. OUGHT TO PASS WITH AMENDMENT.

Rep. Thomas Walsh for Transportation. This bill as amended simply clarifies the definition of compact utility tractor for registration and operation purposes. The committee amendment fixes a possible scenario where a lawn mower might have required registration. Vote 16-0.

Amendment (0130h)

Amend the bill by replacing section 1 with the following:

1 Words and Phrases; Compact Utility Trailer Added. Amend RSA 259:13-a to read as follows: 259:13-a Compact Utility Tractor. "Compact utility tractor" shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.

Amend the bill by replacing section 3 with the following:

3 Operation on Ways. Amend RSA 265:160 to read as follows:

265:160 Utility Vehicles and Compact Utility Tractors; Operation on Ways Restricted. No person shall operate a utility vehicle, including an agricultural/industrial utility vehicle as defined in RSA 259:2-a, a compact utility tractor, as defined in RSA 259:13-a, or an off highway recreational vehicle as defined in RSA 259:69, except on a way where the posted speed limit is 40 miles per hour or less or, in the case of compact utility tractor, 35 miles per hour or less, and the route or crossing being used is open to such vehicles and at such times and under any other special operating conditions established by the government authority having control of the way. Any person operating or in actual physical control of such a vehicle upon a way shall hold a valid driver's license.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2017.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Steven Smith offered floor amendment (0270h).

Floor Amendment (0270h)

Amend RSA 259:13-a as inserted by section 1 of the bill by replacing it with the following:

259:13-a Compact Utility Tractor. "Compact utility tractor" shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.

Amend the bill by replacing section 3 with the following:

3 Operation on Ways. Amend RSA 265:160 to read as follows:

265:160 Utility Vehicles and Compact Utility Tractors; Operation on Ways Restricted. No person shall operate a utility vehicle, including an agricultural/industrial utility vehicle as defined in RSA 259:2-a, a compact utility tractor, as defined in RSA 259:13-a, or an off highway recreational vehicle as defined in RSA 259:69, except on a way where the posted speed limit is 40 miles per hour or less or, in the case of compact utility tractor, 35 miles per hour or less, and the route or crossing being used is open to such vehicles and at such times and under any other special operating conditions established by the government authority having control of the way. Any person operating or in actual physical control of such a vehicle upon a way shall hold a valid driver's license. Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2017.

Rep. Steven Smith spoke in favor.

Floor amendment (0270h) adopted.

Committee report adopted and referred to the Committee on Finance.

HB 1446, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. The "Hands-Free Law" (RSA 265:79-c) in its present incarnation was the result of over a year's worth of study and consultation. This bill seeks to modify a law before the implications of the current law are fully understood. By making this law enforceable as a secondary offense it would prevent law enforcement from pulling over a driver so distracted by their device they do not notice the presence of a law enforcement officer watching them from an adjacent vehicle. Law enforcement officers are currently empowered to address dangerous behavior pro-actively without waiting for the distracted driver to strike someone else. Vote 15-3. Rep. Horn spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 198 NAYS 100

	YEAS 1	198 NAYS 100	
	Y	EAS - 198	
	В	ELKNAP	
Dumais, Russell Russell, David	Fields, Dennis Spanos, Peter	Flanders, Donald	LeBreche, Shari
	C	ARROLL	
Buco, Thomas McConkey, Mark	Butler, Edward Schmidt, Stephen	Chandler, Gene Ticehurst, Susan	McCarthy, Frank Umberger, Karen
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie Weber, Lucy	Ames, Richard Eaton, Daniel Phillips, Larry Sterling, Franklin	Berch, Paul Johnsen, Gladys Roberts, Kris Tatro, Bruce	Bordenet, John Mann, John Sad, Tara Tilton, Benjamin
		COOS	
Fothergill, John Theberge, Robert	Moynihan, Wayne Tholl, John	Rappaport, Laurence Thomas, Yvonne	Richardson, Herbert
	G	RAFTON	
Abel, Richard Ford, Susan Maes, Kevin Sykes, George	Almy, Susan Hennessey, Erin Massimilla, Linda Townsend, Charles	Cooney, Mary Higgins, Patricia Shackett, Jeffrey	Darrow, Stephen Ladd, Rick Smith, Suzanne
	HILL	SBOROUGH	
Backus, Robert Brown, Pamela Cote, David Flanagan, Jack Gidge, Kenneth	Balcom, John Christiansen, Lars Danielson, David Forest, Armand Gorman, Mary	Barry, Richard Cohen, Alan Donovan, Daniel Freitas, Mary Gould, Linda	Biggie, Barbara Cornell, Patricia Eastman, Eric Gagne, Larry Guerette, C. Lee
Haefner, Robert Hinch, Richard LeBrun, Donald	Hansberry, Daniel Jack, Martin Leishman, Peter	Harvey, Suzanne Jeudy, Jean Mangipudi, Latha	Heath, Mary Kurk, Neal Manley, Jonathan

MERRIMACK

O'Brien, Michael

Rouillard, Claire

Smith, Timothy

Takesian, Charlene

Pierce, David

O'Neil, William

Porter, Marjorie

Rowe, Robert

Snow, Kendall

Williams, Kermit

Alicea, Caroletta	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	French, Barbara	Henle, Paul

McNamara, Richard

Rosenwald, Cindy

Shattuck, Gilman

Woodbury, David

Straight, Phillip

Peterson, Ken

McClarren, Donald

Pellegrino, Anthony

Proulx, Mark

Seidel, Carl

Wolf, Terry

Souza, Kathleen

Hirsch, Geoffrey Horn, Werner Karrick, David Kidder, David Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Parent, Jason Patten, Dick Ratzki, Mario Myler, Mel Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane ROCKINGHAM Barnes, Arthur Belanger, Ronald Abrami, Patrick Allen, Mary Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert Devine, James DiFranco, Debbie Gordon, Pamela Francese, Paula Elliott, Robert Fesh, Robert Guthrie, Joseph Hagan, Joseph Heffron, Frank Griffin, Mary Lovejoy, Patricia Introne, Robert Kappler, Lawrence Hoelzel, Kathleen McMahon, Charles McBeath, Rebecca Manning, John Matthews, Carolyn Nigrello, Robert O'Connor, John Packard, Sherman Pantelakos, Laura Prudhomme-O'Brien, Katherine Rice, Frederick Simpson, Alexis Potucek, John Ward, Gerald Welch, David STRAFFORD Baber, William Bickford, David Bixby, Peter Cheney, Catherine Horrigan, Timothy Graham, Robert Gray, James DiSesa, Len Schmidt, Peter Smith, Mariorie Kaen, Naida Rollo, Deanna Southworth, Thomas Treleaven, Susan Verschueren, James Wall, Janet SULLIVAN Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Laware, Thomas O'Hearne, Andrew Irwin, Virginia Grenier, James Smith, Steven Schmidt, Andrew Oxenham, Lee Rollins, Skip **NAYS - 100** BELKNAP Howard, Jr., Raymond Luther, Robert Fraser, Valerie Aldrich, Glen Vadney, Herbert CARROLL Comeau, Ed Cordelli, Glenn Wright, Ted Avellani, Lino CHESHIRE McConnell, James Hunt, John COOS Rideout, Leon GRAFTON Johnson, Eric Gionet, Edmond Ingbretson, Paul HILLSROROUGH Ralph Frank В

IIILLEDOROGGI			
Adams, Christopher	Ammon, Keith	Belanger, James	Boehm, Ralph
Burt, John	Byron, Frank	Christie, Rick	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gonzalez, Carlos	Griffin, Barbara	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	Marston, Dick
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell
Ohm. Bill	Rice, Kimberly	Sanborn, Laurie	Scontsas, Lisa
Simmons, Tammy	Smith, Gregory	Sullivan, Daniel	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Turcotte, Alan

ROCKINGHAM

Abramson, Max	Bates, David	Chirichiello, Brian	Cook, Allen
Dean-Bailey, Yvonne	Emerick, J. Tracy	Ferrante, Beverly	Friel, William
Gannon, William	Gordon, Richard	Green, Dennis	Harris, Jeffrey
Itse, Daniel	Katsakiores, Phyllis	Kołodziej, Walter	Osborne, Jason
Schroadter, Adam	Spillane, James	Tasker, Kyle	Thomas, Douglas
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Weyler, Kenneth			

STRAFFORD

DeLemus, Susan	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Spang, Judith	Sprague, Dale
Turcotte, Leonard	Wuelper, Kurt	, •	•
and the committee report was adopted.			

HB 1697-FN, relative to the operation and insurance of transportation network companies. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for the Majority of Transportation. This bill establishes insurance guidelines and consumer protections for transportation network companies and their customers. This statewide framework is supported by the industry and creates a growth environment. The committee amendment clarifies when additional insurance coverage is required for vehicles engaging in transport part time. Vote 14-2.

Rep. Werner Horn for the Minority of Transportation. Regulating one segment of an industry creates a special class. This bill as amended will remove from a municipality the responsibility for regulating a ground transportation business operating in their towns or cities. Transportation network companies have a business model that has been directly challenged in separate cities and towns by existing ground transportation companies. This legislation is a direct response to those challenges by seeking immunity and autonomy from regulation in the very communities they operate in. Innovative business models should not enjoy special legislative protections that place existing industries at a disadvantage.

Majority Amendment (0176h)

Amend RSA 376-A:8 through RSA 376-A:10 as inserted by section 1 of the bill by replacing them with the following:

376-A:8 Financial Responsibility of TNCs. On or before the effective date of this chapter and thereafter:

- I. Every TNC driver, or TNC on behalf of the driver, shall maintain primary motor vehicle insurance that recognizes that the driver is a TNC driver or otherwise uses a vehicle to transport passengers for compensation and covers the driver:
 - (a) While the driver is logged on to the TNC's digital network; or
 - (b) While the driver is engaged in a prearranged ride.
- II. The following motor vehicle insurance requirements shall apply while a participating TNC driver is logged on to the TNC's digital network but is not engaged in a prearranged ride:
- (a) Primary motor vehicle liability insurance, consistent with RSA 259:61, in the amount of at least \$50,000 for death and bodily injury per person; \$100,000 for death and bodily injury per incident; and \$25,000 for property damage, including the duty to defend.
 - (b) Coverage consistent with New Hampshire financial responsibility laws.
 - III. The coverage requirements of paragraph II may be satisfied by any of the following:
 - (a) Motor vehicle insurance maintained by the TNC driver;
 - (b) Motor vehicle insurance maintained by the TNC; or
 - (c) Any combination of subparagraphs (a) and (b).

- IV. The following motor vehicle insurance requirements shall apply while a TNC driver is engaged in a prearranged ride:
- (a) Primary motor vehicle liability insurance, consistent with RSA 259:61, that provides at least \$1,000,000 for death, bodily injury, and property damage and includes the duty to defend.

(b) Coverage consistent with New Hampshire financial responsibility laws.

- V. The coverage requirements of paragraph IV may be satisfied by any of the following:
 - (a) Motor vehicle insurance maintained by the TNC driver;
 - (b) Motor vehicle insurance maintained by the TNC; or
 - (c) Any combination of subparagraphs (a) and (b).

VI. If insurance maintained by the TNC driver in paragraphs II and IV has lapsed or does not provide the required coverage, insurance maintained by the TNC shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend and indemnify such claim.

VII. Coverage under a motor vehicle insurance policy maintained by the TNC shall not be dependent on a personal motor vehicle insurer first denying a claim nor shall a personal motor vehicle insurance policy be required to first deny a claim.

VIII. Insurance required by this section shall be placed with an admitted insurer that has the requisite certificate of authority to write motor vehicle insurance pursuant to RSA 401:1. Insurance required under this section may be placed with an unadmitted surplus lines insurer consistent with the provisions of RSA 405:24 through RSA 405:31.

IX. Every TNC driver shall carry physical or electronic proof of coverage satisfying paragraphs II and IV with him or her at all times during his or her use of a vehicle in connection with a TNC's digital network. In the event of an accident, a TNC driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers. Upon request, a TNC driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers, whether he or she was logged on to the TNC's digital network or on a prearranged ride at the time of an accident.

376-A:9 Disclosures. Before accepting a request for a prearranged ride on the TNC's digital network, every TNC shall disclose in writing to the TNC driver the following:

I. The insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network; and

II. That the TNC driver's own motor vehicle insurance policy might not provide any coverage while the TNC driver is logged on to the TNC's digital network or is engaged in a prearranged ride, depending on its terms.

376-A:10 Motor Vehicle Insurance Provisions.

I. Insurers that write motor vehicle insurance in New Hampshire may exclude any and all coverage afforded under the policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a TNC driver is logged on to a TNC's digital network or while a driver provides a prearranged ride. The right to exclude all coverage may apply to any coverage included in a motor vehicle insurance policy including, but not limited to:

- (a) Liability coverage for bodily injury and property damage.
- (b) Uninsured and under insured motorist coverage.
- (c) Medical payments coverage.
- (d) Comprehensive physical damage coverage.
- (e) Collision physical damage coverage.

If the coverage has been excluded under this paragraph, and the insurance required to be maintained by the TNC driver under RSA 376-A:8, II and IV has lapsed or does not provide the required coverage, the state financial responsibility requirements in RSA 259:61, I, including costs of defense, shall be satisfied by the TNC's motor vehicle insurance policy, beginning with the first dollar of a claim. Nothing in this section implies or requires that a personal motor vehicle insurance policy provide coverage while the TNC driver is logged on to the TNC's digital network, while the TNC driver is engaged in a prearranged ride, or while the TNC driver otherwise uses a vehicle to transport passengers for compensation. Nothing in this section shall be deemed to preclude an insurer from providing coverage for the TNC driver's vehicle, if it chooses to do so by contract or endorsement.

II. No automobile insurer that excludes the coverage described in RSA 376-A:8 shall have a duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in New Hampshire prior to the enactment of this chapter, that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy, shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of RSA 376-A:8 at the time of loss.

III. In a claims coverage investigation, TNCs and any insurer potentially providing coverage under RSA 376-A:8 shall cooperate in facilitating the exchange of relevant information with directly involved parties and any insurer of the TNC driver if applicable, including the precise times that a TNC driver logged on and off of the TNC's digital network in the 12 hour period immediately preceding and in the 12 hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under RSA 376-A:8.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sanborn offered floor amendment (0405h).

Floor Amendment (0405h)

Amend RSA 376-A:3, II as inserted by section 1 of the bill by replacing it with the following:

II. The department shall issue a permit to each applicant that meets the requirements for a TNC under this chapter, and pays an annual permit fee of \$500 to the department.

Rep. Sanborn spoke in favor.

Rep. Steven Smith spoke in favor and yielded to questions.

Floor amendment (0405h) adopted.

Majority committee report adopted and referred to the Committee on Commerce and Consumer Affairs.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1389, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. INEXPEDIENT TO LEGISLATE. Rep. Bruce Tatro for Municipal and County Government. This bill would change the way a petitioned warrant article is treated in a deliberative session and would treat petitioned warrant articles differently in SB 2 communities and in traditional town meeting communities. A petitioned warrant article is already restricted as to the changes which may be made to it before it is presented to the voters. After it is introduced to the voters is it should be treated like any other warrant article. The petition restrictions are only applicable to protect the article from being changed prior to introduction at the meeting where the voters have control over the article. Not allowing the voters to change one article while allowing changes to another is discriminatory and results in unequal treatment between articles. It could be used to convince submitters to make sure all articles presented to the town meeting are petitioned articles which would remove the ability for the voters to enact changes and significantly reduce the reasons for attending the deliberative session which is already affected with low attendance. There is also no reason to treat a petitioned warrant article in an official ballot municipality differently than one in a traditional meeting municipality. Vote 13-3.

Rep. Spillane spoke against and yielded to questions.

Rep. Tatro spoke in favor and yielded to questions.

On a division vote, with 194 members having voted in the affirmative and 100 in the negative, the committee report was adopted.

HB 1621-FN-L, relative to sanctuary cities. INEXPEDIENT TO LEGISLATE.

Rep. James Belanger for Municipal and County Government. A sanctuary city is a municipality that has opted not to enforce any immigration laws and allow those illegals to reside in their community. There are currently no sanctuary cities in NH and committee members doubted there ever would be. This bill would simply mandate that there could not be such a community in the state and the committee felt it was unnecessary. Testimony was heard regarding pitfalls of a community

allowing such residency but, in the end, the question was legislation that would prohibit something from existing that was highly unlikely to exist in the first place. Imposing legislation upon communities to prevent something from happening that was unlikely to happen is precedent setting and might open the door to a huge amount of prohibitive legislation. NH is a permissive state and we all know that municipalities can now only do what is permitted by the state. Since sanctuary cities are not permitted then they are deemed to be prohibited and this bill is unnecessary. Vote 13-2.

MOTION TO LAY ON THE TABLE

Rep. Potucek moved that **HB 1621-FN-L**, relative to sanctuary cities, be laid on the table. On a division vote, with 247 members having voted in the affirmative and 47 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1295-FN, eliminating the bureau of certificate of title. **INEXPEDIENT TO LEGISLATE**. Rep. Larry Gagne for Transportation. This bill would eliminate the Bureau of Certificate of Title and would decrease state revenue by over \$10 million in the first year. Additionally vehicle titles prove ownership, adding value both to citizens and businesses. Vote 18-0.

Rep. Marple spoke against.

Rep. Steven Smith spoke in favor.

Committee report adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, February 10, 2016 at 10:00 a.m..

LATE SESSION

Third Reading and Final Passage

HB 1651, relative to the duties of the commission to review child abuse fatalities.

HB 1375, relative to charter commissions for budgets in official ballot jurisdictions.

HB 1272-FN, relative to bus transportation for chartered public school students.

HB 1127, relative to qualifications of referees in the superior courts and circuit courts.

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.

UNANIMOUS CONSENT

Rep. Fothergill requested Unanimous Consent of the House regarding Cancer prevention month.

Rep. Fothergill addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 4:45 p.m.

RECESS

(Rep. Kotowski in the Chair) RESOLUTION

Rep. Ebel offered the following: RESOLVED, that late drafting and introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bills numbered 1700 and 1701 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1700-FN, relative to abuse-deterrent opioid drug products. (Sherman, Rock 24: Rosenwald, Hills 30; Hinch, Hills 21; Bradley, Dist 3: Commerce and Consumer Affairs)
HB 1701-FN, relative to specialty care in drop-in or walk-in clinics. (Hannon, Straf 25: Health, Human Services and Elderly Affairs)

COMMITTEE ASSIGNMENT

The Speaker made the following changes to committee assignment: Rep. Jeffrey Shackett on the Committee on Public Works and Highways.

RECESS

(Rep. Tholl in the Chair) ENROLLED BILL AMENDMENT

 ${\bf SB}$ 146, relative to accessory dwelling units. (Amendment printed SJ 2-11-16) Adopted.

SENATE MESSAGES REFERRED FOR INTERIM STUDY

HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.

CONCURRENCE WITH AMENDMENTS

SB 144, relative to carry-over coverall bingo and shared carry-over coverall bingo.

NONCONCURRENCE WITH AMENDMENTS

SB 45, establishing a commission to study opioid use in workers' compensation cases. **SB 64-FN**, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 6

Wednesday, February 10, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Timeless, eternal God, we give You thanks for the reminder we receive on this holy day: that we come from dust and will one day return to dust. Whatever our individual beliefs or creed or tradition may be. we all share a common mortality. Inspire us to treasure this wondrous gift of life to use our time on earth wisely, and to make the most of every opportunity. Help us to focus on those things that are life-giving, and strengthen us to accomplish all that we are called to do, to use our time and our gifts wisely and well.

A Prayer of Saint Augustine

Almighty God, in whom we live and move and have our being. You have made us for yourself and our hearts are restless until they rest in You: Grant us purity of heart and strength of purpose, That no selfish passion may hinder us from knowing Your will: No weakness from doing it: But that in Your light we may see light To the glory of Your name. Amen.

Representative Pearson, member from Keene, led the Pledge of Allegiance.

The National Anthem was performed by a quintet from the New Hampshire Symphony; Jacqueline DeVoe on the flute; Andrea Bonsignore on the Oboe; Marguerite Levin on the Clarinet; Michael Weinstein on the Horn; and Gregory Newton on the Bassoon.

LEAVES OF ABSENCE

Reps. Chris Brown, Comtois, Emerson, Forest, Gardner, Gargasz, Kellogg, Knowles, Major, Marston, Priestley, Sanders, Twombly, Robert Walsh and Wheeler, the day, illness. Reps. Barry, Bouldin, Bush, Fisher, Goulette, Hess, Hurt, Oligny, Russell, Sanborn and Tamburello,

the day, important business.

INTRODUCTION OF GUESTS

Madison Norris, student at Hollis-Brookline High School, Page for the day.

Bebe Casey, guest of Rep. Ebel. Aileen Cormier, guest of Rep. Balcom. Gates Ingram, guest of Rep. Ticehurst. Joe Doiron, guest of Rep. Joe Sweeney. Rosanna Eubank and Kai Dude, guests of Rep. Douglas Long. Ann Royce and Heather Ames, guest and wife of Rep. Ames. Honorable Suzanne Mercer Vail, former member from Nashua, guest of Reps. Horrigan and Harvey. Fourth Graders from Broken Ground School in Concord, guests of the House.

INTRODUCTION OF SPECIAL GUESTS

Christopher Kobach, Secretary of State for the State of Kansas, guest of the House.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 1495-FN-L, relative to insurance incentives to lower costs of health care, removed by Rep. Kurk.

HB 1189-FN, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire, removed by Rep. Cushing.

HB 1566-FN, relative to out-of-state transportation companies, removed by Rep. Martel.

HB 1581-FN-A, establishing a special marriage officiant license, removed by Rep. Cushing.

HB 1593-FN-L, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms, removed by Rep. Hoell.

HB 1693-FN-L, abolishing fluoridation in water, removed by Rep. Valerie Fraser.

Consent Calendar adopted.

HB 1434-FN, relative to out-of-home placements under the child protection act. OUGHT TO PASS WITH AMENDMENT.

Rep. Kimberly Rice for Children and Family Law. This bill as amended reinforces the requirement that the judges provide a written finding to keep a child in out-of-home placement after the preliminary hearing of an abuse and neglect proceeding. The written finding gives the estranged child and parent facts to rebut for reconsideration, de novo hearing, or appeal. This is a further attempt to ensure removal from the home only occurs when necessary. Vote 14-2.

Amendment (0225h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Findings. The general court finds that the relationship between children and their parents is so fundamental to the wellbeing of society that unwarranted interference in that relationship is a harm to children, parents, and society as a whole. Furthermore, the failure to enumerate offenses is a violation of the Constitution of the State of New Hampshire Part 1, Article 15.

2 New Paragraphs; Child's Welfare and Findings Regarding Removal. Amend RSA 169-C:6-b

by inserting after paragraph II the following new paragraphs:

- III. If the court orders that a child be removed from his or her home at the preliminary hearing under RSA 169-C:15, the adjudicatory hearing under RSA 169-C:18, the dispositional hearing under RSA 169-C:19, or the final hearing under RSA 169-C:21, the court order for removal shall include specific written findings regarding the need for the out-of-home placement. The order shall enumerate specific instances of abuse or neglect, include a general description of incidents and dates where available, and summarize the evidence the court relied upon in ordering the placement.
- IV. If the removal order does not comply with the requirements of paragraph III, the judge shall make a written finding to justify the out-of-home placement.
 - 3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires an order to remove a child from his or her home under the child protection act to include written findings with regard to the need for the out-of-home placement.

Referred to the Committee on Criminal Justice and Public Safety.

HB 1159-FN, relative to sale of tobacco products. REFER FOR INTERIM STUDY.

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill's original intent was to clarify the definition of tobacco products in the state liquor laws. After further discussion we found too many issues with the language in the statutes and determined that we need to recodify our statutes. The committee recommends referring this bill for Interim Study in order to address these inconsistencies and to provide an opportunity to create the right language. Vote 19-1.

HB 1182-FN, relative to fees for sales of wine by manufacturers. OUGHT TO PASS WITH AMENDMENT.

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill, as amended, forms a study committee to find the right balance for applying the tax on wine manufacturers and to bring the reporting requirements in line with federal reporting requirements. Currently, New Hampshire taxes wine sold by manufacturers directly to consumers at 5% of the retail sale price. Reporting for the federal government is based on gallons, not dollars, so the committee hopes to find a more efficient way to combine the tax. This committee's responsibility is to rectify this difference and make it easier for our wine manufacturers to do the reporting. Vote 18-1.

Amendment (0260h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study fees for sales of wine by manufacturers.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study fees for sales of wine by manufacturers.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

- (b) One member of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
- 3 Duties. The committee shall study fees for sales of wine by manufacturers. The committee's study shall include an examination of federal reporting requirements for wine manufacturers licensed in New Hampshire. The committee shall determine what fee would be revenue neutral if New Hampshire switched from the current percentage of sales fee to a per gallon fee for wine manufacturers. The committee shall solicit input from the liquor commission, other state agencies, and private businesses as deemed relevant to the committee.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.
- 5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.
 - 6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study fees for sales of wine by manufacturers. Referred to the Committee on Ways and Means.

HB 1685-FN, relative to mortgage bankers, brokers, and services. OUGHT TO PASS WITH AMENDMENT.

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill makes several common sense changes in an effort to clean up, organize and clarify regulations related to mortgage servers. It also simplifies the advertising disclosure requirements and removes the requirement for annual reports because the Banking Department now receives quarterly reports through the Nationwide Mortgage Licensing System and Registry (NMLS). The committee amendment restores an exemption for three real estate transactions in a 12-month period, makes a typographical correction and ensures that the maximum penalty for not filing reports remains the same as the current law. Vote 17-0.

Amendment (0388h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to mortgage bankers, brokers, and servicers.

Amend RSA 397-A:4 as inserted by section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. An owner of real property who, in any consecutive 12-month period, makes no more than 3 mortgage loans to purchasers of the property for all or part of the purchase price of the real estate against which the mortgage is secured.

Amend RSA 397-A:16, I as inserted by section 1 of the bill by replacing it with the following:

I. Mortgage bankers, mortgage brokers, or mortgage servicers may charge fees and points for services rendered in conjunction with the origination, closing, and servicing of loans. If any fee is collected in advance of the closing of the loan, the mortgage banker or mortgage broker shall provide the borrower with a written explanation of the purpose and disposition of the fee. A mortgage banker or mortgage broker may charge an application fee which may include the direct costs incurred by the mortgage banker or mortgage broker for processing an application, and for a real estate appraisal, a credit bureau report, or income verification, or other third party services.

Amend RSA 397-A:13, V as inserted by section 1 of the bill by replacing it with the following:

V. Any mortgage banker, mortgage broker, or mortgage servicer failing to file the mortgage call report required by this section within the time prescribed may be required to pay to the department a penalty of \$25 for each calendar day the mortgage call report is overdue up to a maximum penalty of \$625 per mortgage call report.

AMENDED ANALYSIS

This bill defines and regulates mortgage servicers. Referred to the Committee on Ways and Means.

HB 1584-FN, relative to minimum and maximum sentences for felony convictions. OUGHT TO PASS WITH AMENDMENT.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill as introduced dealt with minimum and maximum sentences for felony convictions. The committee believes that the credit for serving time in county jails in lieu of paying a fine, which has not been updated in 20 years, needs to be addressed. The amendment, which replaces the bill, brings the daily rate from \$50 per day to \$125 per day which more accurately reflects the actual cost of incarceration. The association of counties states that there will be no added cost to the counties and the committee believes that it will also reduce costs to the counties. Vote 14-0.

Amendment (0100h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the discharge of a person committed for nonpayment of a fine.

Amend the bill by replacing all after the enacting clause with the following:

1 Discharge of Person Committed in Default of Payment of Fine. Amend RSA 618:8 and 618:9 to read as follows:

618:8 At End of Term, or on Payment of Balance. Any person sentenced conditionally to pay a fine or to be imprisoned for a term shall be discharged at the expiration of the term, and may be discharged at any time on payment of the balance of the fine, after deducting [\$50] \$125 for each

day such person has been imprisoned under the sentence.

618:9 Committal for Nonpayment; Term. Whenever a person is committed to a county correctional facility in default of payment of a fine imposed by a justice of a superior court or a district court, he or she shall be discharged from custody by the superintendent thereof at the expiration of a number of days after the date of his or her commitment equal to one day for each [\$50] \$125 of the fine so imposed. The superintendent shall keep a record of all discharges made under the provisions of this section.

2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

The bill increases the daily amount deducted for a person who is committed for nonpayment of a fine. Referred to the Committee on Ways and Means.

HB 1675-FN-A, relative to the legalization and taxation of marijuana. INEXPEDIENT TO LEGISLATE.

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill would legalize the possession of 2.2 pounds of marijuana for personal use for persons over the age of 18, license wholesale and retail sale of marijuana, and create marijuana retail sales cultivation and testing facilities. It would allow the cultivation of 6 plants for personal use and establish a \$30 per ounce tax on marijuana at the wholesale level. The committee felt that adopting this bill would send the wrong message during the time of an opioid crisis and that the amount legalized is excessive, allowing those under 18 ample ways to obtain this federally illegal drug. Vote 14-1.

HB 1351, relative to the laws governing chartered public schools. INEXPEDIENT TO LEGISLATE. Rep. James Grenier for Education. This bill would require all charter schools to comply with the same laws and rules governing regular public schools. The members of the House Education recognized this bill would destroy the concept of charter schools and they would cease to exist. Vote 19-0.

HB 1485, relative to private rights of action under the pupil safety and violence prevention act. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. This bill grew out of a case of bullying in which the school principal ignored the situation. The proposed remedy, however, would expose the school district to many lawsuits and massive legal bills. Suits could be brought whenever a parent was not satisfied with the district remedy, or even unaware of the remedy. Vote 18-2.

HB 1652-FN-A, establishing a teacher preparation for mathematics education scholarship program. **REFER FOR INTERIM STUDY.**

Rep. Mary Heath for Education. The Education Committee finds unanimously that this bill needs further research, reviews and development. The committee recognizes the difficulty in securing qualified mathematics educators and that the NH Department of Education lists "Mathematics Educator" on the critical shortage list and has done so for over ten years. The committee also recognizes the need to fully engage the NH University System Teacher Preparation Programs in the design of a plan

to increase the numbers of qualified math educators in our schools. Furthermore, after a review of student math scores over the last ten years and the impetus to improve such scores, the committee requests Interim Study with regard to the most effective ways to recruit and attract mathematic teachers and to explore a variety of options from scholarships to loan forgiveness to increase the number of math educators. Vote 20-0.

HB 1667-FN-L, repealing the statutes authorizing the department of education. INEXPEDIENT TO LEGISLATE.

Rep. Terry Wolf for Education. The NH Department of Education has many roles, such as the oversight of higher education, standards and certification, school building aid, educational credentialing and career school licensing. This bill would eliminate the DOE's role in each of these areas. Vote 19-0.

HB 1292, relative to the use of abandoned agricultural property. OUGHT TO PASS.

Rep. Michele Peckham for Environment and Agriculture. RSA 674:32-b, the Right to Farm statute, refers to the "disuse" of farmland in two places. This bill simply changes the word "disuse" to "abandonment" in order to protect farmers who, through no fault of their own, let their land fall into disuse for a season because of illness, accident, or generational transfer of the farm. The word "abandonment" implies that the farmer left without an intent to come back to farming. Vote 17-0. Referred to the Committee on Municipal and County Government.

HB 1404-FN, relative to certain director positions in the insurance department. OUGHT TO PASS WITH AMENDMENT.

Rep. Peter Schmidt for Executive Departments and Administration. This bill is a request of the Insurance Department and constitutes a housekeeping action, allowing the department to manage several already existing positions in a more efficient manner. This change will enable the department to more effectively and competitively recruit staff replacements in the future. Vote 15-1.

Amendment (0079h)

Amend the bill by replacing sections 1 and 2 with the following:

1 Insurance Department; Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a director of examinations, a life, accident and health director, a life, accident and health actuary, a health policy legal counsel, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, a property and casualty director, a property and casualty actuary, an assistant property and casualty actuary, a workers' compensation analyst, a compliance and enforcement counsel, a communications director, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, property and casualty director, property and casualty actuary, assistant property and casualty actuary, workers' compensation analyst, compliance and enforcement counsel, communications director, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

2 Insurance Department; Department Positions. RSA 400-A:6, VII is repealed and reenacted to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a director of examinations, a life accident and health director, a life, accident and health actuary, a health policy legal counsel, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, a property and casualty director, a property and casualty actuary, an assistant property and casualty actuary, a workers' compensation analyst, a compliance and enforcement counsel, a financial examination supervisor, a communications director, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, property and casualty director, property and casualty actuary, assistant property and casualty actuary, workers' compensation analyst, compliance and enforcement counsel, communications director, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

Referred to the Committee on Finance.

HB 1556-FN, relative to Lucky 7 tickets. REFER FOR INTERIM STUDY.

Rep. Jeffrey Goley for Executive Departments and Administration. This bill would increase the maximum price for a Lucky 7 ticket from \$.50 to \$1, increase the hours of sales of Lucky 7 tickets, and increase the deal fee. This bill is very similar to HB 1545 which is currently in the Ways and Means Committee, so the sponsor and majority of the ED&A Committee agreed to refer the bill for Interim Study. Vote 15-1.

HB 1594-FN, relative to emergency medical services. OUGHT TO PASS WITH AMENDMENT. Rep. Mark Proulx for Executive Departments and Administration. This bill amends the regulation of emergency medical care providers so that it is more in line with the regulation of other medical professions. It provides increased safety to patients by requiring a criminal history record check for licensure and expanding the grounds for license revocation. It also allows emergency medical providers to work in all licensed health care facilities in addition to hospitals. Vote 14-1.

Amendment (0192h)

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8, respectively:

7 Emergency Medical Services; Definitions. Amend RSA 153-A:2, XI to read as follows:

XI. "Facility" means a hospital as defined in RSA 151:2, I(a) and (d).

Referred to the Committee on Criminal Justice and Public Safety.

HB 1671-FN, establishing an office of inspector general. INEXPEDIENT TO LEGISLATE.

Rep. J.R. Hoell for Executive Departments and Administration. This bill seeks to create an office of Inspector General. This office would be tasked with the initiation of inspections to address fraud and abuse. The office would also be the agency to receive any criminal complaints regarding abuse by government. Sponsors of the bill expressed support for another bill with a similar purpose. The similar bill, HB 1433, establishes an Office of Ombudsman in the Department of State. The committee would like to work further on this concept and therefore believes that HB 1671 is not necessary. Vote 14-0.

HB 1373-FN, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. **INEXPEDIENT TO LEGISLATE**.

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The medical cannabis law is still in the early implementation stage. The committee felt it was inappropriate at this time to consider changes to the law. Following full implementation and evaluation of the program, recommended changes may be suggested to the medical cannabis council for consideration. Vote 15-0.

HB 1520, relative to the membership of the medical review subcommittee. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is not necessary because the intent to increase the membership of the medical review subcommittee by adding 2 additional physician members was accomplished in SB 576 (Chapter 2, Laws of 2016) which was signed into law in January this year. Vote 16-0.

HB 1550-FN, relative to the duties of the ombudsman. INEXPEDIENT TO LEGISLATE.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. Although well meaning, this bill would expand the duties of the Ombudsman Office of the Department of Health and Human Services to investigate any complaints against the office from not only clients and caregiver, but to any family member. The Office of the Ombudsman is fully staffed and timely investigates complaints. It was the finding of the committee that this level of involvement was not necessary and would add significant costs to the program. Vote 18-0.

HB 1565-FN, relative to transportation companies under the Medicaid managed care program. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. It is the opinion of the committee that this bill would be better handled as a contractual issue. This determination came as the result of lengthy debate from numerous presenters. There is no need for legislation. Vote 15-1.

HB 1573-FN, relative to brokers arranging transportation for Medicaid patients. **INEXPEDIENT TO LEGISLATE.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill which gives first priority to in-state transportation companies, is unclear as to which programs it impacts, whether

it applies to who gets first priority when contracting with providers, or scheduling transits. Also discriminating against out-of-state providers will institute a violation of medicaid and Medicare statutes and could threaten receiving federal matching funds. Vote 15-1.

HB 1668-FN, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a registry of persons convicted of heroin-related offenses. The vast majority of testimony was against the bill, including from the NH Department of Safety. The committee felt the bill would create an undue hardship for people trying to reclaim their life through treatment or rehabilitation. Vote 15-0.

HB 1574-FN-A, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. INEXPEDIENT TO LEGISLATE.

Rep. Joseph Hagan for Judiciary. Under current law, clerks of each court collect penalty assessments and distribute 66.6% to New Hampshire Police Standards and Training (Police Academy) and the remaining 33.3% equally to the Victim's Assistance Fund and Judicial Branch Information Technology Fund, the latter which funds the E-court initiatives. This bill would remove the Judicial Branch Information Technology Fund from the revenue stream of penalty assessments, putting the modernization of the courts at risk. The committee recognized the need for funding police training but not at the expense of modernizing court processes in the computer age. In addition, this bill would have assessed a \$2.00 per hour penalty for community service which the committee felt violated the spirit of assessing service in lieu of fine. Vote 16-0.

HB 1611-FN-L, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. INEXPEDIENT TO LEGISLATE.

Rep. Michael Sylvia for Judiciary. This bill would allow a public body to charge for the cost of retrieving, copying and redacting confidential and other exempt information requested under the right-to-know law. While the majority believes there should be a limit to excessive requests under RSA 91-A, the committee felt public bodies currently have the ability to fend off frivolous requests. The bill as written would create a barrier to government transparency. Vote 16-1.

HB 1531, permitting the legislature to open the state house on weekends. OUGHT TO PASS. Rep. Stephen Shurtleff for Legislative Administration. This bill would allow the New Hampshire

Hegislature to enter into a memorandum of understanding with a non-profit entity to enable the New Hampshire State House to be open on Saturdays. The memorandum would address issues including security, staffing, hours of operation, and janitorial services. All expenses incurred would be borne by the non-profit entity. The final memorandum must be approved by the Joint Facilities Committee before Saturday openings would be permitted. Vote 9-0.

Referred to the Committee on Finance.

HB 1602-FN-A-L, establishing a road usage fee and making an appropriation therefor. REFER FOR INTERIM STUDY.

Rep. Mark McConkey for Public Works and Highways. The bill evolved from a mechanism to create a fair and level playing field for alternative fuel vehicles to ensure owners of these vehicles pay their fair share for using New Hampshire's roads and bridges. While many feel this concept should be adopted the proposed bill evolved into what some consider a way to raise extra revenue for the Department of Transportation. The proposed bill would not only level the playing field for alternative fuel vehicles but would have raised fees on so-called high mileage vehicles. The full committee supports a recommendation of Interim Study. Vote 18-0.

HB 1291, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. This bill addresses the process by which the federal government acquires land in New Hampshire. The committee felt that adding a vote of the General Court to the approval process that already includes the Governor and Council, the Department of Resources and Economic Development (DRED), and a local municipal vote is excessive. The proposed advisory board of five landowners to review federal land acquisition

would not include membership specifically from the area involved. The current process is thorough. DRED evaluates the terms and conditions of acquisitions and adherence to NH statutory limits on the amount of land the federal government can own in the state. The percentage of a municipality's total assessed valuation that the federal government may own is being addressed by another House bill. Vote 16-0.

HB 1536-FN-A, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. INEXPEDIENT TO LEGISLATE. Rep. David Russell for Resources, Recreation and Development. The funding for search and rescue operations by the Fish and Game Department comes from boat, snowmobile, and OHRV registrations. If there is a shortfall, the department pays for the remainder using hunting and fishing license revenue. Removing this dedicated source of funding and replacing it with an appropriation from the General Fund was not seen as a stable source of revenue for the program and also loses out on any future revenue growth from increased numbers of registrations. Testimony from the department shows that the Search and Rescue Fund will close without a deficit. Regarding the part of the bill creating a family-fishing license, children under 16 already do not need a license to fish. Such a license would also create a challenge for enforcement, requiring conservation officers to verify the marital status of an adult fishing under another person's license. Vote 17-0.

HB 1149, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. INEXPEDIENT TO LEGISLATE.

Rep. Douglas Thomas for Science, Technology and Energy. This bill seeks to compensate property owners directly affected by any pipeline or utility company by charging a royalty on all natural gas specifically exported for use in a foreign country. This would be in addition to any compensation previously given to the landowners by the transmission company. The committee heard testimony that this could be in direct contradiction to the Commerce Clause of the US Constitution on those projects that are interstate. Although a few states do charge royalties on gas production, there is no production within New Hampshire. Pipeline companies do not own the gas; they are merely a transporter of product. Although well-intended, additional fees would be passed on to all ratepayers. For these reasons, the committee cannot support this bill. Vote 18-0.

HB 1337, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. INEXPEDIENT TO LEGISLATE.

Rep. Michael Vose for Science, Technology and Energy. This bill seeks to prohibit a utility from requiring a deposit from a customer who received a disconnect notice. Testimony indicated that current Public Utilities Commission rules permit waivers to low-income customers and allow deposits to be paid in up to three installments. Utility representatives testified that this legislation might make them reluctant to work with customers. Should customers default on their deposits, other ratepayers would be left having to pay for delinquent accounts. The bill also opens the door to limiting deposits for commercial customers. Deposits are a long-standing utility best practice. At least one utility has suspended deposits pending a review of their usefulness. Vote 19-0.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Frank Byron for Special Committee on Public Employee Pension Plans. The bill as amended clarifies the retiree compensation data reporting requirements and penalty assessment criteria applied by the New Hampshire Retirement System (NHRS). The bill clarifies that retirees who receive compensation while serving in an elected capacity are not required to report. The bill further specifies that before a penalty is levied by NHRS a municipality will be afforded an opportunity to show cause why a penalty is not warranted. Vote 10-0.

Amendment (0250h)

Amend the bill by replacing section 1 with the following:

1 Retirement System; Compensation Data Reporting; Penalty. Amend RSA 100-A:16, VII to read as follows:

VII.(a) Every employer shall report to the retirement system monthly, in a format provided by the retirement system, all compensation paid by the employer to retired members of the retirement system, including the name of, and the total hours worked, for each retired member of the retirement system, except that an employer shall not include in the report the compensation and hours worked by a retiree for serving as an elected state official or as an elected official of a political subdivision in either a group I or group II position.

(b) Notwithstanding any other provision of law, employers [shall] may be subject to a penalty of up to \$25 per day for non-compliance with the data reporting requirements of subparagraph (a), including data that was not timely remitted or data that cannot be processed at the times designated by the board of trustees due to data reporting errors by the employer. [The board may abate all or any part of the penalty upon] Before a penalty is assessed, the board shall notify the employer in writing of the noncompliance, identifying the reasons for the finding of noncompliance, and shall request the employer to explain to the board in writing within 30 days of the notification how the noncompliance occurred. Upon expiration of the 30 day period, the board may impose all or a portion of the penalty provided for in this paragraph, unless there is a showing that the employer did not willfully, intentionally, through gross negligence, or through a pattern of negligence fail to file the data as required.

AMENDED ANALYSIS

This bill requires the retirement system board of trustees to give employers notice and an opportunity to explain before the penalty for retirement system employer noncompliance with the data reporting requirements may be assessed.

Referred to the Committee on Finance.

HB 1672-FN-A-L, relative to excess federal matching funds, property tax relief, and general fund appropriations. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. The bill, as written, provides for the transfer of any excess above \$100 million in the Revenue Stabilization Reserve Account (Rainy Day Fund) be used for property tax relief for low-income NH residents. The bill gave no specifics on how this would be administered and both the Department of Treasury and the Department of Revenue Administration expressed concern with its methodology. Vote 20-0.

REGULAR CALENDAR

HB 1551-FN-A, establishing the John and Molly Stark scholarship program and making an appropriation therefor. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Mary Gile for the Majority of Education. This bill as amended establishes the John and Molly Stark Scholarship program to provide public postsecondary education and training opportunities to every graduate of a NH public secondary school by providing a one half-tuition scholarship for a maximum of three years. Applicants must be a New Hampshire resident and shall maintain a 2.75 grade point average. Scholarship recipients shall be required to work in New Hampshire for a minimum of four years after graduation, or shall repay the scholarship amount received in full. Vote 16-2.

Rep. Glenn Cordelli for the Minority of Education. The minority is concerned with the requirement for the scholarship recipient to work in New Hampshire for four years after graduation. How will recipients be tracked as to their place of employment? Will the Department of Education continue tracking students through college and future employment? In addition, what if the recipient decides to join the military? Would that require a scholarship repayment? The intent is good, but there are problems with the future execution.

Majority Amendment (0182h)

Amend RSA 21-N:8-c, III as inserted by section 2 of the bill by replacing it with the following:

III. Applicants who are selected to receive a scholarship under this program shall maintain a 2.75 grade point average and meet such other criteria as may be established in this section. Applicants selected shall receive a 1/2 tuition scholarship for the applicable tuition and fees, reduced by the amount of any other scholarship aid they may receive. The scholarship shall be for a maximum of 3 years. Scholarship recipients shall be required to work in the state of New Hampshire for a minimum of 4 years after graduation or shall repay the scholarship amount received in full. Rep. Cordelli spoke against and yielded to questions.

Rep. Gile spoke in favor.

Rep. Ladd yielded to questions.

On a division vote, with 223 members having voted in the affirmative and 114 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 205 members having voted in the affirmative and 139 in the negative, the majority committee report was adopted and referred to the Committee on Finance.

HB 1561-FN, relative to freedom of expression on college campuses. REFER FOR INTERIM STUDY.

Rep. Ralph Boehm for Education. The committee is in favor of freedom of speech. There are some good aspects to this bill, but there are concerns with sections of the bill that require more study, including cost impacts to the University and Community College System. Vote 14-3. Committee report adopted.

HB 1563-FN-L, relative to funding for full-day kindergarten pupils. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Mary Heath for the Majority of Education. This bill does not mandate, or require school districts to provide full day kindergarten, nor does it require mandatory kindergarten attendance. This bill provides full day kindergarten programs with "Average Daily Membership in Attendance" or ADMA. The Education Committee heard overwhelming testimony in favor of this bill with no one from the public opposing the bill. NH mandates that all NH school districts provide the opportunity for public kindergarten. This bill simply provides full day programs with ADMA and gives those districts making that full day commitment to its five year olds the same benefit it provides in grades 1-12. This bill also offers the same effort within our Public Charter Schools. Vote 10-9.

Rep. Terry Wolf for the Minority of Education. Many communities in NH offer full-day kindergarten. The minority feels adjustments to the adequacy formula, such as fully funding catastrophic and building aid is a better way to support ALL school districts. There is also concern changing the formula from half-day to full-day kindergarten would create the perception of a mandate and lead to the elimination of successful part-time programs.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Ladd spoke against and yielded to questions. Rep. Luneau spoke in favor and yielded to questions. Rep. Myler spoke in favor and requested a roll call; sufficiently seconded.

YEAS 157 NAYS 200

YEAS - 157 CARROLL

	C	AKKOLL	
Buco, Thomas	Butler, Edward	Ticehurst, Susan	
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Tatro, Bruce	Ames, Richard Eaton, Daniel Parkhurst, Henry Robertson, Timothy Tilton, Benjamin	Berch, Paul Johnsen, Gladys Pearson, William Sad, Tara Weber, Lucy	Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie
		COOS	
Froburg, Alethea Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Theberge, Robert
	G	RAFTON	
Abel, Richard Cooney, Mary Maes, Kevin Townsend, Charles	Almy, Susan Ford, Susan Massimilla, Linda White, Andrew	Bennett, Travis Hennessey, Martha Smith, Suzanne	Brown, Rebecca Higgins, Patricia Sykes, George

HILLSBOROUGH

Backus, Robert Brown, Pamela DiSilvestro, Linda Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan Porter, Marjorie Shaw, Barbara Sullivan, Daniel

Baroody, Benjamin Cohen, Alan Donovan, Daniel Goley, Jeffrey Harvey, Suzanne Leishman, Peter McNamara, Richard Roberts, Carol Smith, Timothy Vann, Ivy

Beaulieu, Jane Cornell, Patricia Edwards, Elizabeth Gorman, Mary Heath, Mary Long, Patrick O'Brien, Michael Rosenwald, Cindy Snow, Kendall Williams, Kermit

Booras, Efstathia Cote, David Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangipudi, Latha O'Neil, William Shattuck, Gilman Soucy, Timothy Woodbury, David

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Hirsch, Geoffrey Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Deloge, Helen French, Barbara Karrick, David MacKay, James Ratzki, Mario Schuett, Dianne Bradley, Paula Doherty, David Gile, Mary Kenison, Linda Moffett, Howard Rice, Chip Shurtleff, Stephen

Brewster, Michael Ebel, Karen Henle, Paul Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Berrien, Skip Cardon, G. Thomas Francese, Paula Lovejoy, Patricia Simpson, Alexis Borden, David Cushing, Robert Friel, William McBeath, Rebecca Ward, Gerald Cahill, Michael DiFranco, Debbie Gordon, Pamela Pantelakos, Laura

Cali-Pitts, Jacqueline Elliott, Robert Heffron, Frank Sherman, Thomas

STRAFFORD

Baber, William Cilley, Jacalyn Rollo, Deanna Spang, Judith Verschueren, James Bickford, David DiSesa, Len Schmidt, Peter Sprague, Dale Wall, Janet Bixby, Peter Horrigan, Timothy Smith, Marjorie Stevens, Audrey Ward, Kenneth Burton, Wayne Kaen, Naida Southworth, Thomas Treleaven, Susan

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond O'Hearne, Andrew

Gottling, Suzanne Oxenham, Lee

NAYS - 200 BELKNAP

Aldrich, Glen Fraser, Valerie Luther, Robert Vadney, Herbert

Crawford, Karel

Parker, Harold

Dumais, Russell Gallagher, Brian Spanos, Peter Varney, Peter Fields, Dennis Howard, Jr., Raymond Sylvia, Michael Flanders, Donald LeBreche, Shari Tilton, Franklin

Avellani, Lino Chandler, Gene

McCarthy, Frank Schmidt, Stephen CARROLL Comeau. Ed

McConkey, Mark Umberger, Karen

Cordelli, Glenn Nelson, Bill Wright, Ted

CHESHIRE

Hunt, John McConnell, James

Sterling, Franklin

COOS

Rideout, Leon Rappaport, Laurence Richardson, Herbert Fotheraill, John Tholl, John

GRAFTON

Darrow, Stephen Gionet, Edmond Brown, Duane Bailey, Brad Hull, Robert Ingbretson, Paul Johnson, Eric Hennessey, Erin Shackett, Jeffrey Ladd, Rick Piper, Wendy

HILLSBOROUGH

Ammon, Keith Adams, Christopher Biggie, Barbara Boehm, Ralph Christensen, Chris Christiansen, Lars Edelblut, Frank Danielson, David Fromuth, Bart Flanagan, Jack Griffin, Barbara Haefner, Robert Hinch, Richard Hogan, Edith Lachance, Joseph Kurk, Neal McCarthy, Peggy McClarren, Donald Murphy, Keith Murotake, David Ober, Russell Ober, Lynne Pellegrino, Anthony Parison, James Proulx, Mark Rice, Kimberly Scontsas, Lisa Schleien, Eric Souza, Kathleen Smith, Gregory Sullivan, Victoria Ulery, Jordan

Balcom, John Burt, John Christie, Rick Estevez, Eric Gagne, Larry Halstead, Carolyn Hopper, Gary LeBrun, Donald McLean, Mark Notter, Jeanine Ohm, Bill Peterson, Ken Rouillard, Claire Seidel, Carl Stepanek, Stephen Wolf, Terry

Belanger, James Byron, Frank Coffey, James Ferreira, Elizabeth Gould, Linda Hansen, Peter Infantine, William Martel, Andre Moore, Josh O'Brien, William Palmer, Barry Pierce, David Rowe, Robert Simmons, Tammy Straight, Phillip

MERRIMACK

French, Harold Hill, Gregory Kidder, David Kuch, Bill McGuire, Carol Martin, John Walsh, Thomas Seaworth, Brian

Hoell, J.R. Horn, Werner Marple, Richard Long, Douglas McGuire, Dan Parent, Jason

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Guthrie, Joseph Introne, Robert Kolodziej, Walter McKinney, Betsy O'Connor, John Potucek, John Spillane, James Thomas, Douglas Vose, Michael Weyler, Kenneth

Abramson, Max Allen, Mary Barnes, Arthur Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Itse, Daniel Lundgren, David McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Sweeney, Joe Tilton, Rio Ward, Joanne Woitkun, Steven

Bates, David Christie, Andrew Devine, James Ferrante, Beverly Green, Dennis Hodadon, Bruce Kappler, Lawrence Manning, John Milz, David Packard, Sherman Rice. Frederick Sytek, John True, Chris Webb, James

Azarian, Gary Belanger, Ronald Cook, Allen Doucette, Fred Fesh, Robert Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tasker, Kyle Tucker, Pamela Welch, David

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Cheney, Catherine Groen, Warren Leeman, Don Wuelper, Kurt

DeLemus, Susan Hannon, Joseph Mullen, John

Graham, Robert Jones, Laura Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report failed.

Rep. Ladd moved the minority committee report of Inexpedient to Legislate.

Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 205 NAYS 152

YEAS - 205

BELKNAP

Aldrich, Glen	Dumais, Russell
Fraser, Valerie	Gallagher, Brian
Luther, Robert	Spanos, Peter
Vadney, Herbert	Varney, Peter

Fields, Dennis Howard, Jr., Raymond Sylvia, Michael

Flanders, Donald LeBreche, Shari Tilton, Franklin

CARROLL

Avellani, Lino	Chandler, Gene
Crawford, Karel	McCarthy, Frank
Parker, Harold	Schmidt, Stephen

Comeau, Ed McConkey, Mark Umberger, Karen Cordelli, Glenn Nelson, Bill Wright, Ted

CHESHIRE

Hunt, John Johnsen, Gladys

McConnell, James

Sterling, Franklin

COOS

Fothergill, John Tholl, John Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Bailey, Brad Hennessey, Erin Ladd, Rick Brown, Duane Hull, Robert Piper, Wendy

Ammon, Keith

Darrow, Stephen Ingbretson, Paul Shackett, Jeffrey

Balcom, John

Burt, John

Gionet, Edmond Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Christensen, Chris
Danielson, David
Ferreira, Elizabeth
Gould, Linda
Hansen, Peter
Infantine, William
Martel, Andre
Moore, Josh
O'Brien, William
Palmer, Barry
Pierce, David
Rowe, Robert
Simmons, Tammy

Boehm, Ralph Christiansen, Lars Donovan, Daniel Flanagan, Jack Griffin, Barbara Hinch, Richard Kurk, Neal McCarthy, Peggy Murotake, David Ober, Lynne Parison, James Proulx, Mark Schleien, Eric Smith, Gregory Sullivan, Victoria

Christie, Rick
Edelblut, Frank
Fromuth, Bart
Haefner, Robert
Hogan, Edith
Lachance, Joseph
McClarren, Donald
Murphy, Keith
Ober, Russell
Pellegrino, Anthony
Rice, Kimberty
Scontsas. Lisa

Belanger, James Byron, Frank Coffey, James Estevez, Eric Gagne, Larry Halstead, Carolyn Hopper, Gary LeBrun, Donald McLean, Mark Notter, Jeanine Ohm, Bill Peterson, Ken Rouillard, Claire Seidel, Carl Stepanek, Stephen Wolf, Terry

MERRIMACK

French, Harold Kidder, David Marple, Richard Parent, Jason

Straight, Phillip

Hill, Gregory Kotowski, Frank Martin, John Seaworth, Brian Hoell, J.R. Kuch, Bill McGuire, Carol Walsh, Thomas

Souza, Kathleen

Ulery, Jordan

Horn, Werner Long, Douglas McGuire, Dan

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Fesh, Robert Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tasker, Kyle Tucker, Pamela Welch, David

Abramson, Max Barnes, Arthur Chirichiello, Brian DeSimone, Debra Elliott, Robert Gannon, William Guthrie, Joseph Introne, Robert Kolodziei, Walter McKinney, Betsy O'Connor, John Potucek, John Spillane, James Thomas, Douglas Vose, Michael Weyler, Kenneth

Allen, Mary Bates, David Christie, Andrew Devine, James Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Itse, Daniel Lundgren, David McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Sweeney, Joe Tilton, Rio Ward, Joanne Woitkun, Steven

Azarian, Gary
Belanger, Ronald
Cook, Allen
Doucette, Fred
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
Milz, David
Packard, Sherman
Rice, Frederick
Sytek, John
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard Cheney, Catherine Groen, Warren Leeman, Don Wuelper, Kurt DeLemus, Susan Hannon, Joseph Mullen, John Graham, Robert Jones, Laura Pitre, Joseph

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 152 CARROLL

SULLIVAN

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Parkhurst, Henry Robertson, Timothy Tilton, Benjamin Ames, Richard Eaton, Daniel Pearson, William Sad, Tara Weber, Lucy Berch, Paul Ley, Douglas Phillips, Larry Shepardson, Marjorie

Bordenet, John Mann, John Roberts, Kris Tatro, Bruce

coos

Froburg, Alethea Thomas, Yvonne Hatch, William Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Cooney, Mary Maes, Kevin Townsend, Charles Almy, Susan Ford, Susan Massimilla, Linda White, Andrew Bennett, Travis Hennessey, Martha Smith, Suzanne Brown, Rebecca Higgins, Patricia Sykes, George

HILLSBOROUGH

Backus, Robert Brown, Pamela DiSilvestro, Linda Goley, Jeffrey Harvey, Suzanne Leishman, Peter McNamara, Richard Roberts, Carol Smith, Timothy Vann, Ivy Baroody, Benjamin Cohen, Alan Edwards, Elizabeth Gorman, Mary Heath, Mary Long, Patrick O'Brien, Michael Rosenwald, Cindy Snow, Kendall Williams, Kermit Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Guerette, C. Lee
Herbert, Christopher
Mangipudi, Latha
O'Neil, William
Shattuck, Gilman
Soucy, Timothy
Woodbury, David

Booras, Efstathia Cote, David Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan Porter, Marjorie Shaw, Barbara Sullivan, Daniel

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Friel, William	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			• •

STRAFFORD

Baber, William Cilley, Jacalyn Rollo, Deanna	Bickford, David DiSesa, Len Schmidt, Peter	Bixby, Peter Horrigan, Timothy Smith, Marjorie	Burton, Wayne Kaen, Naida Southworth, Thomas
Spang, Judith Verschueren, James	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew	•	,	

and the minority committee report was adopted.

HB 1604-FN-A-L, relative to exceptional student education programs and providing funding therefor. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Terry Wolf for Education. This bill as amended identifies and places into statute specific instructional methods designed to advance students to higher-levels of work once they demonstrate knowledge and skill mastery, rather than advancing based upon seat time in the classroom. For example, all students in a 6th grade classroom do not necessarily belong in a 6th grade math book or program. Some may be below and others may be ready for pre-algebra. How schools structure and organize the delivery of instruction is the key to educational success. This bill references basic instructional methods that once established, will result in higher levels of student achievement. The key to student success revolves around quality instruction and creative delivery models providing a challenging curriculum. This not only applies to gifted students, but to all. Struggling students must receive support prior to their being placed unprepared in the next grade level in an effort to prevent later failure. The bill as amended addresses challenging instructional design, and can be accomplished without the need for additional differentiated aid as the introduced bill had proposed. Vote 19-2.

Amendment (0160h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and

implement instructional methods to enable students to acquire and apply the requisite knowledge and skills. Implemented instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:

(a) Advancing students to higher level work once they demonstrate knowledge and skill

and mastery of competency, rather than advancing based upon seat time in the classroom.

(b) Providing support to struggling students before they advance in an effort to prevent later failure.

(c) Keeping all students on pace to graduate and to ensure those below level make progress.

(d) Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.

(e) Graduating students with deeper college and career ready skills.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Committee amendment adopted.

Rep. Ladd offered floor amendment (0409h).

Floor Amendment (0409h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend

RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement instructional methods to enable students to acquire and apply the requisite knowledge and skills. Implement instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:

(a) Advancing students to higher level work once they demonstrate knowledge and skill and mastery of competency, rather than advancing based upon seat time in the classroom.

(b) Providing support to struggling students before they advance in an effort to prevent later failure.

(c) Keeping all students on the path to graduate and to ensure those below level make progress.

(d) Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.

(e) Graduating students with deeper college and career ready skills.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Rep. Ladd spoke in favor and yielded to questions.

Floor amendment (0409h) adopted.

Committee report adopted and referred to the Committee on Finance.

HB 1630-FN-L, relative to calculating the base cost of an adequate education. OUGHT TO PASS WITH AMENDMENT.

Rep. Terry Wolf for Education. The bill as amended addresses policy needs and costs relative to calculating an adequate education. This legislation is a result of subcommittee and full education committee work throughout the summer, fall and to this date. Element priorities within the bill include: (1) working with the Department of Education and the Legislative Budget Assistant to develop an

adequacy formula premised upon sound policy and realistic fiscal constrains to include projected data based upon estimated populations for FY18, (2) to increase the base adequacy amount by \$8.00 per pupil and to allocate this modest amount to professional development to support and enhance quality of instruction. Using preliminary FY17 data, base adequacy for FY18, to include adjustments for CPI, would be \$3640.92, (3) funding to support non proficient third grade students who are not eligible to receive other forms of differentiated aid, (4) reinstatement of fiscal disparity for those municipalities in the lower quartile that have the lowest capacity to raise property tax revenue as long as the municipality's median family income (based upon US Bureau of Census) is less that the state average, (5) fiscal disparity and stabilization based on the 2012 stabilization grant amount received and then annually reducing only the amount of stabilization by 4% as stated in current law, and (6) for each fiscal year following FY17, as currently stated in statute, the education grant is no longer capped. In comparing FY18 adequacy funding for education based upon the state grant formula in current law, to the state grant based on the proposed bill, the increase is slightly more than \$8M. This bill is projected to be effective for Fiscal Year 2018. The overwhelming majority of the house education committee supports this legislation that reasonably balances policy and appropriation considerations. Vote 18-1.

Amendment (0376h)

Amend the bill by replacing all after the enacting clause with the following:

1 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, I to read as follows:

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be [\$3,450] \$3,458 per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible. Differentiated aid shall be in the amount of \$1,725 for each pupil in the public school's ADMA in the determination year who is in kindergarten through grade 12 and who is eligible for the federal free and reduced-price meal program.

2 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, II-a to read as follows:

II-a. An additional [\$675] \$697 for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading [component] and mathematics components of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

3 New Section; School Money; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-c the following new section:

198:40-cc Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the department shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts and to charter schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$2,000 multiplied by the municipality's average daily membership in attendance.

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$1,200 multiplied by the municipality's average daily membership in attendance shall be distributed pursuant to RSA 198:42.

II. Except as otherwise provided in this section, fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section:

(a) "Equalized valuation per pupil" means a municipality's equalized valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 average daily membership in attendance.

(b) "Median family income" means the most recent census data published for New Hampshire counties and municipalities by the United States Department of Commerce, Census Bureau, as of October 1 preceding the beginning of the biennium for which aid is to be determined.

4 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, IV(d) to

read as follows:

- (d)(1) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter.
- (2) For fiscal year 2018 and each fiscal year thereafter, no municipality which is eligible to receive fiscal capacity disparity aid pursuant to RSA 198:40-cc shall receive a stabilization grant which is less than the amount of the municipality's 2018 stabilization grant, less 4 percent.

5 Effective Date. This act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill increases the amount of per pupil adequacy aid, increases the amount of aid to certain third grade pupils, and provides fiscal capacity disparity aid to certain school districts. Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 1638-FN-L, relative to the allocation of lottery revenues to schools. INEXPEDIENT TO LEGISLATE.

Rep. Allen Cook for Education. The committee recommends ITL for several reasons: first the lack of clarity in regards to being able to separate the monies of the lottery, which are already pooled into a general fund creating a large deficit in already designated funding. Secondly, it would require private schools to disclose private information and change many of their current operating procedures. Finally, it would require the creation of new staff of the NH Department of Education to handle the dispensing of funds. Vote 16-2.

MOTION TO LAY ON THE TABLE

Rep. Leeman moved that **HB 1638-FN-L**, relative to the allocation of lottery revenues to schools, be laid on the table.

On a division vote, with 158 members having voted in the affirmative and 188 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate. Committee report adopted.

HB 1644-FN, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John Balcom for the Majority of Education. The majority of the committee felt that the early identification of dyslexia was important enough to pass this bill. Testimony from parents, educators, practitioners and students provided evidence that current policies within our NH school districts are allowing students to lose valuable years of learning before being identified their dyslexia. The coordinator of DOE is necessary to oversee training of evaluators and successful implementation of this process. Vote 11-8.

Rep. Ralph Boehm for the Minority of Education. This bill provides a new designated reading specialist at the Department of Education to assist students with dyslexia and related disorders. The bill further states that a student's school district shall provide best practices and support services for any student who is identified as having characteristics that are associated with dyslexia risk factors. Within grades 1-3, many schools currently administer screening assessments such as DIBELS and use test results to develop appropriate instruction. Students identified as possibly having a specific learning disability such as dyslexia, should be referred for a more thorough evaluation by trained special education specialists and if the student is determined to have dys-

lexia, a special education IEP is developed. Although all members of the education committee recognize the importance of providing early intervention instruction in reading, language or math for students diagnosed with dyslexia, there is a process currently in place to do this in accordance with established special education law. Lastly, children from birth to age five having learning disabilities are provided services through the Department of Health and Human Services. The exception is preschool special education that is administered by the New Hampshire Department of Education. This bill is duplicative of current programming and if the Department identifies the need for a reading specialist as a staffing priority, then the position should be designated to improve the quality of reading and language instruction for all students.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Boehm spoke against and yielded to questions.

Reps. Balcom and Ebel spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 186 NAYS 172

	7	YEAS - 186	
	1	BELKNAP	
Fields, Dennis	Flanders, Donald	Tilton, Franklin	
	(CARROLL	
Buco, Thomas Nelson, Bill	Butler, Edward Parker, Harold	Cordelli, Glenn	Crawford, Karel
	C	CHESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Tatro, Bruce	Ames, Richard Eaton, Daniel Parkhurst, Henry Robertson, Timothy Tilton, Benjamin	Berch, Paul Johnsen, Gladys Pearson, William Sad, Tara Weber, Lucy	Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie
		COOS	
Fothergill, John Theberge, Robert	Froburg, Alethea Thomas, Yvonne	Hatch, William	Moynihan, Wayne
	G	RAFTON	
Abel, Richard Cooney, Mary Maes, Kevin Smith, Suzanne	Almy, Susan Ford, Susan Massimilla, Linda Sykes, George	Bennett, Travis Hennessey, Martha Nordgren, Sharon Townsend, Charles	Brown, Rebecca Higgins, Patricia Piper, Wendy White, Andrew
	HILL	SBOROUGH	
Adams, Christopher Beaulieu, Jane Cohen, Alan	Backus, Robert Booras, Efstathia Cornell, Patricia	Balcom, John Brown, Pamela Cote, David	Baroody, Benjamin Christensen, Chris DiSilvestro, Linda

	HILL	SBOROUGH	
Adams, Christopher Beaulieu, Jane Cohen, Alan Donovan, Daniel Gorman, Mary Heath, Mary Jack, Martin Long, Patrick McNamara, Richard Roberts, Carol Shaw, Barbara Sullivan, Daniel Zaricki, Nick	Backus, Robert Booras, Efstathia Cornell, Patricia Freitas, Mary Guerette, C. Lee Herbert, Christopher Kurk, Neal Mangipudi, Latha O'Brien, Michael Rosenwald, Cindy Smith, Timothy Takesian, Charlene	Balcom, John Brown, Pamela Cote, David Gidge, Kenneth Hansberry, Daniel Hinch, Richard LeBrun, Donald Manley, Jonathan O'Neil, William Rouillard, Claire Snow, Kendall Williams, Kermit	Baroody, Benjamin Christensen, Chris DiSilvestro, Linda Goley, Jeffrey Harvey, Suzanne Infantine, William Leishman, Peter McCarthy, Peggy Proulx, Mark Shattuck, Gilman Soucy, Timothy Woodbury, David

MERRIMACK

Bradley, Paula Brewster, Michael Alicea, Caroletta Bartlett, Christy Ebel, Karen Doherty, David Deloge, Helen Carson, Clyde Henle, Paul French, Barbara Gile, Mary Frazer, June Kidder, David Kenison, Linda Hirsch, Geoffrey Karrick, David Moffett, Howard Myler, Mel Luneau, David MacKay, James Ratzki, Mario Rice, Chip Rogers, Katherine Patten, Dick Shurtleff, Stephen Turcotte, Alan Saunderson, George Schuett, Dianne Wallner, Mary Jane ROCKINGHAM Borden, David Cahill, Michael Abrami, Patrick Berrien, Skip Cushing, Robert Cardon, G. Thomas Christie. Andrew Cali-Pitts, Jacqueline Fesh, Robert DiFranco, Debbie DeSimone, Debra Devine, James Gordon, Pamela Heffron, Frank Hoelzel, Kathleen Francese, Paula McMahon, Charles Lundgren, David McBeath, Rebecca Lovejoy, Patricia Prudhomme-O'Brien, Katherine Schroadter, Adam Peckham, Michele Pantelakos, Laura Simpson, Alexis Tilton, Rio Ward, Gerald Sherman, Thomas STRAFFORD Baber, William Bickford, David Bixby, Peter Burton, Wayne Gray, James Horrigan, Timothy Cilley, Jacalyn DiSesa, Len Schmidt, Peter Smith, Marjorie Rollo, Deanna Kaen, Naida Stevens, Audrey Southworth, Thomas Spang, Judith Sprague, Dale Ward, Kenneth Treleaven, Susan Verschueren, James Wall, Janet **SULLIVAN** Gottling, Suzanne Converse, Larry Gagnon, Raymond Cloutier, John Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Grenier, James Smith, Steven Schmidt, Andrew **NAYS - 172** BELKNAP Dumais, Russell Fraser, Valerie Gallagher, Brian Aldrich, Glen Spanos, Peter Howard, Jr., Raymond LeBreche, Shari Luther, Robert Sylvia, Michael Vadney, Herbert Varney, Peter CARROLL Chandler, Gene Comeau, Ed McCarthy, Frank Avellani, Lino McConkey, Mark Schmidt, Stephen Ticehurst, Susan Umberger, Karen Wright, Ted CHESHIRE Sterling, Franklin Hunt, John McConnell, James COOS Rideout, Leon Tholl, John Rappaport, Laurence Richardson, Herbert GRAFTON Bailey, Brad Brown, Duane Darrow, Stephen Gionet, Edmond Ingbretson, Paul Johnson, Eric Hennessey, Erin Hull, Robert Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Biggie, Barbara

Christiansen, Lars

Boehm, Ralph

Christie, Rick

Belanger, James

Byron, Frank

Ammon, Keith

Burt, John

Coffey, James	Danielson, David
Edwards, Elizabeth	Estevez, Eric
Fromuth, Bart	Gagne, Larry
Haefner, Robert	Halstead, Carolyn
Hopper, Gary	Lachance, Joseph
McLean, Mark	Moore, Josh
O'Brien, William	Ober, Lynne
Palmer, Barry	Parison, James
Pierce, David	Porter, Marjorie
Schleien, Eric	Scontsas, Lisa
Souza, Kathleen	Stepanek, Stephen
Ulery, Jordan	Vann, Ivy

Eastman, Eric
Ferreira, Elizabeth
Gould, Linda
Hansen, Peter
Martel, Andre
Murotake, David
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Seidel, Carl
Straight, Phillip
Wolf, Terry

Edelblut, Frank
Flanagan, Jack
Griffin, Barbara
Hogan, Edith
McClarren, Donald
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rowe, Robert
Simmons, Tammy
Sullivan, Victoria
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MERRIMACK

French, Harold
Kotowski, Frank
Martin, John
Seaworth, Brian

Hill, Gregory Kuch, Bill McGuire, Carol Walsh, Thomas

Allen, Mary

Bates, David

Hoell, J.R. Long, Douglas McGuire, Dan

Horn, Werner Marple, Richard Parent, Jason

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Chirichiello, Brian
Elliott, Robert
Gannon, William
Guthrie, Joseph
Itse, Daniel
Manning, John
Nigrello, Robert
Potucek, John
Sytek, John
Vose, Michael
Weyler, Kenneth

Cook, Allen Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Kappler, Lawrence Matthews, Carolyn O'Connor, John Rice. Frederick Thomas, Douglas Ward, Joanne Woitkun, Steven

Azarian, Gary Belanger, Ronald Dean-Bailey, Yvonne Ferrante, Beverly Green, Dennis Hodgdon, Bruce Katsakiores, Phyllis McKinney, Betsy Osborne, Jason Spillane, James True, Chris Webb, James

Baldasaro, Alfred Chase, Francis Duarte, Joe Friel, William Griffin, Mary Introne, Robert Kolodziei, Walter Milz. David Packard, Sherman Sweeney, Joe Tucker, Pamela Welch, David

STRAFFORD

Beaudoin, Steven Groen, Warren Leeman, Don Whitehouse, Joshua Cheney, Catherine Hannon, Joseph Mullen, John Wuelper, Kurt

DeLemus, Susan Jones, Laura Pitre, Joseph

Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance.

HB 1564-FN-A, establishing an independent redistricting commission. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. William Gannon for the Majority of Election Law. Under this bill, an independent commission would be appointed to create redistricting plans and recommend them to the legislature. The legislature would not be able to amend the first and second plans developed by the commission, though it could reject them. If two plans are rejected by the legislature, a third plan would be adopted using the usual legislative process. The process outlined by this bill is cumbersome and the timeframes are completely unrealistic. The majority does not see a need to change the current process for developing redistricting plans for state offices in New Hampshire. Vote 11-8.

Rep. Wayne Moynihan for the Minority of Election Law. This bill is a proactive proposal intended to get the NH House onto the task of preparing for the next round of legislative redistricting, after the census of 2020. It is generally acknowledged that the process and the result of the last NH Redistricting Committee, after the census of 2010, was problematic, involving lawsuits by cities,

towns, and legislators. The redistricting process undertaken after the 2000 census was followed up by time consuming, expensive, and contentious legal battles. It is reported that 80% of the population does not trust the process whereby legislators are in control of the process that determines the boundaries of the legislative districts in which they run for election. Other states have begun to study and adopt independent redistricting commissions, and the U. S. Supreme Court has recently found that such a plan is valid and constitutional. The committee minority believes it is wise policy and in the best interest of the citizens of the state to now begin the study, discussion, and design of an independent commission to manage the upcoming redistricting.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Moynihan spoke against.

Rep. Gannon spoke in favor.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 210 NAYS 151

YEAS - 210 RELKNAP

	D.	DEIXIVAI	
Aldrich, Glen Fraser, Valerie Luther, Robert Vadney, Herbert	Dumais, Russell Gallagher, Brian Spanos, Peter Varney, Peter	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Flanders, Donald LeBreche, Shari Tilton, Franklin
	C	ARROLL	
Avellani, Lino Crawford, Karel Parker, Harold	Chandler, Gene McCarthy, Frank Schmidt, Stephen	Comeau, Ed McConkey, Mark Umberger, Karen	Cordelli, Glenn Nelson, Bill Wright, Ted
	C	HESHIRE	
Hunt, John	McConnell, James	Sterling, Franklin	Tilton, Benjamin
		COOS	
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholi, John
	G	RAFTON	
Bailey, Brad Hennessey, Erin Ladd, Rick	Brown, Duane Hull, Robert Shackett, Jeffrey	Darrow, Stephen Ingbretson, Paul	Gionet, Edmond Johnson, Eric
	HILL	SBOROUGH	
Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James

<i>,</i>	•		
HILLSBOROUGH			
Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gidge, Kenneth
Gould, Linda	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael Horn, Werner Long, Douglas McGuire, Dan Walsh, Thomas

French, Harold Kidder, David Marple, Richard Parent, Jason

Hill, Gregory Kotowski, Frank Martin, John Patten. Dick

Hoell, J.R. Kuch, Bill McGuire, Carol Seaworth, Brian

Azarian, Gary

Cook, Allen

Doucette, Fred

Ferrante, Beverly

Gordon, Richard

Lundgren, David

Harris, Jeffrey

Itse. Daniel

Cardon, G. Thomas

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Fesh. Robert Green, Dennis Hodgdon, Bruce Kappler, Lawrence Manning, John Milz. David Packard, Sherman Rice, Frederick Svtek, John True, Chris Webb, James

Abramson, Max Barnes, Arthur Chirichiello, Brian DeSimone, Debra Elliott, Robert Friel, William Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tasker, Kyle Tucker, Pamela Welch, David

Allen, Mary Bates, David Christie. Andrew Devine, James Emerick, J. Tracy Gannon, William Guthrie, Joseph Introne, Robert Kolodziej, Walter McKinney, Betsy O'Connor, John Potucek, John Spillane, James Thomas, Douglas

Vose, Michael

Weyler, Kenneth

McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Sweeney, Joe Tilton, Rio Ward, Joanne Woitkun, Steven

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Pitre, Joseph

Bickford, David Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Cheney, Catherine Groen, Warren Leeman, Don Whitehouse, Joshua

DeLemus, Susan Hannon, Joseph Mullen, John Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 151 CARROLL

Buco, Thomas

Butler, Edward

Ames, Richard

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Tatro, Bruce

Eaton, Daniel Parkhurst, Henry Robertson, Timothy Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William Sad. Tara

Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie

COOS

Fothergill, John Theberge, Robert

Froburg, Alethea Thomas, Yvonne Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard Cooney, Mary Maes, Kevin Smith, Suzanne Almy, Susan Ford, Susan Massimilla, Linda Sykes, George

Bennett, Travis Hennessey, Martha Nordgren, Sharon Townsend, Charles

Brown, Rebecca Higgins, Patricia Piper, Wendy White, Andrew

HILLSBOROUGH

Backus, Robert Brown, Pamela

Baroody, Benjamin Christiansen, Lars

Beaulieu, Jane Cohen, Alan

Booras, Efstathia Cornell. Patricia

Cote, David	DiSilvestro, Linda
Freitas, Mary	Goley, Jeffrey
Hansberry, Daniel	Harvey, Suzanne
Jack, Martin	Leishman, Peter
McNamara, Richard	O'Brien, Michael
Roberts, Carol	Rosenwald, Cindy
Smith, Timothy	Snow, Kendall
Takesian, Charlene	Vann, Ivy

Donovan, Daniel
Gorman, Mary
Heath, Mary
Mangipudi, Latha
O'Neil, William
Shattuck, Gilman
Soucy, Timothy
Williams, Kermit
NEW A COM

Edwards, Elizabeth Guerette, C. Lee Herbert, Christopher Manley, Jonathan Porter, Marjorie Shaw, Barbara Sullivan, Daniel Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy
Deloge, Helen	Doherty, David
French, Barbara	Gile, Mary
Karrick, David	Kenison, Linda
Moffett, Howard	Myler, Mel
Rogers, Katherine	Saunderson, George
Turcotte, Alan	Wallner, Mary Jane

Bradley, Paula Ebel, Karen Henle, Paul Luneau, David Ratzki, Mario Schuett, Dianne

Carson, Clyde Frazer, June Hirsch, Geoffrey MacKay, James Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Belanger, Ronald			
Cali-Pitts, Jacqueline			
Gordon, Pamela			
Pantelakos, Laura			

Berrien, Skip Cushing, Robert Heffron, Frank Sherman, Thomas Borden, David DiFranco, Debbie Lovejoy, Patricia Simpson, Alexis Cahill, Michael Francese, Paula McBeath, Rebecca Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Schmidt, Peter
Sprague, Dale
Wall, Janet

Bixby, Peter Horrigan, Timothy Smith, Marjorie Stevens, Audrey Ward, Kenneth Burton, Wayne Kaen, Naida Southworth, Thomas Treleaven, Susan Cilley, Jacalyn Rollo, Deanna Spang, Judith Verschueren, James

SULLIVAN

Cloutier, John	
Irwin, Virginia	

Converse, Larry O'Hearne, Andrew Gagnon, Raymond Oxenham, Lee Gottling, Suzanne Schmidt, Andrew

and the majority committee report was adopted.

HB 1674-FN, requiring the labeling of genetically engineered foods. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill, which the House has previously rejected, once again attempts to require food manufacturers, grocery retailers, and our farmers and farmers markets to label products that may have been produced or grown using genetic engineering - a process that has been in existence for over 30 years and has been deemed to be safe by the most respected and widely recognized academic, scientific and medical organizations, such as the American Medical Association, the American Association for the Advancement of Science, the National Academy of Sciences, the US Department of Agriculture, and the World Health Organization, among others. The passage of this bill would put New Hampshire in conflict with other states that are attempting to implement similar laws but with different provisions. Studies have shown that this conflict would result in increased costs and penalties to our businesses and consumers. Currently each state that has brought forward a bill such as this has found itself embroiled in litigation costing millions in an attempt to prove its constitutionality. In addition, this bill adds severe penalties to our businesses of up to \$1,000 per day for incorrect labeling. The fiscal note states that 1) personnel costs for Department of Health and Human Services enforcement will be \$100,000 to \$200,000 per year; 2) the Attorney General will be required to make rules, conduct civil investigations and mandate civil action, the costs of which are not included in the fiscal note; and 3) the 16 self-inspecting towns in the state will be required to conduct enforcement and civil action on their own, with no state support. What is the solution? The US Food and Drug Administration (FDA) has recently released labeling guidance for foods that have or have not been derived from genetically engineered plants. The Campbell Soup Company just announced they will be using the FDA labeling guidance as a marketing tool. Currently, companies are free to voluntarily label and market their product as "organic," and/or have third party certification to label their products "GMO-free." Finally, with the advent of modern technology, by midsummer the major food companies will be releasing the new "SmartLabel," so when a consumer scans a product on the grocery store shelf with a smart phone or with an in-store scanner, more information about the product than what is on the label will be instantly available to the consumer, including whether or not it contains genetically engineered ingredients. For these reasons, the bipartisan majority of the committee strongly opposes this bill. Vote 12-7.

Rep. Peter Bixby for the Minority of Environment and Agriculture. This bill is fundamentally about the right to know. Preliminary court decisions on the Vermont labeling law suggest that the federal court accepts that there is a compelling state interest in the people's right to know how their food is produced. The Jew who follows the law of Kilayim, separation of species, established in Leviticus, has a right to know if species have been mixed in his food. The person with digestive disorders who wants to be extra cautious with her food has a right to know. The person who is not convinced the federal government has done its due diligence in safety testing has a right to know and is justified in that doubt. In 1992, notwithstanding the advice of the agency's scientists, the head of the Food and Drug Administration (FDA) determined that foods produced with genetic engineering were substantially equivalent to natural foods and were legally "Generally Recognized as Safe" (GRAS). Since that time, the US Department of Agriculture's oversight of GMO foods has been limited to assessing pest and disease risks. The FDA's role is even smaller. All safety assessments are optional and done by choice by the companies that produce the GMOs. The optional review process, in which the biotech companies send the safety data they choose to the FDA in exchange for a letter saying they did so, has all the weight of a rubber stamp. The record of biotechnology corporations in protecting public health is not without lapses. Long after Agent Orange was determined to have long-term health consequences for veterans exposed in Vietnam, Monsanto went out of its way to avoid responsibility. They repeated the pattern with incidents of dioxin contamination in Nitro, West Virginia and PCB contamination in Anniston, Alabama. Similarly, DuPont had a decades-long practice of covering up health issues with C-8, an ingredient in Teflon. While publicly accessible trait-by-trait, third party, safety testing would be preferable, labeling food with "produced with genetic engineering" is a remedy within our purview as a state. We should do the best we can by providing this to our citizens.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. McConnell, Bixby, Abramson and Valerie Fraser spoke against.

Rep. Darrow spoke against and yielded to questions.

Rep. Sad spoke in favor.

Rep. O'Connor spoke in favor and requested a roll call; sufficiently seconded.

YEAS 239 NAYS 122

YEAS - 239 BELKNAP

Aldrich, Glen Howard, Jr., Raymond Sylvia, Michael	Dumais, Russell LeBreche, Shari Tilton, Franklin	Fields, Dennis Luther, Robert Vadney, Herbert	Flanders, Donald Spanos, Peter
		CARROLL	
Avellani, Lino Cordelli, Glenn Schmidt, Stephen	Buco, Thomas McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Parker, Harold
	C	CHESHIRE	
Ames, Richard Hunt, John Weber, Lucy	Berch, Paul Parkhurst, Henry	Bordenet, John Sad, Tara	Eaton, Daniel Sterling, Franklin

COOS

Fothergill, John Tholl, John

Hatch, William

Richardson, Herbert

Rideout, Leon

GRAFTON

Almy, Susan Gionet, Edmond Piper, Wendy Bailey, Brad Hennessey, Martha Shackett, Jeffrey Brown, Duane Ingbretson, Paul Townsend, Charles Cooney, Mary Ladd, Rick White, Andrew

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Boehm, Ralph Christiansen, Lars Cornell, Patricia Eastman, Eric Freitas, Mary Gould, Linda Hansen, Peter Infantine, William LeBrun, Donald McClarren, Donald Notter, Jeanine Ober, Russell Pellegrino, Anthony Rouillard, Claire Shaw, Barbara Soucy, Timothy Sullivan, Daniel

Ammon, Keith Beaulieu, Jane Burt, John Christie, Rick Danielson, David Edwards, Elizabeth Gagne, Larry Griffin, Barbara Heath, Mary Jeudy, Jean Leishman, Peter McLean, Mark O'Brien, William Ohm. Bill Pierce, David Rowe, Robert Simmons, Tammy Souza, Kathleen Sullivan, Victoria Zaricki, Nick

Backus, Robert Belanger, James Byron, Frank Coffey, James DiSilvestro, Linda Estevez, Eric Gidge, Kenneth Haefner, Robert Hinch, Richard Kurk, Neal Martel, Andre Moore, Josh O'Neil, William Palmer, Barry Proulx, Mark Schleien, Eric Smith, Gregory Stepanek, Stephen Takesian, Charlene Balcom, John Biggie, Barbara Christensen, Chris Cohen, Alan Donovan, Daniel Ferreira, Elizabeth Gorman, Mary Halstead, Carolyn Hogan, Edith Lachance, Joseph McCarthy, Peggy Murphy, Keith Ober, Lynne Parison, James Rice, Kimberly Seidel, Carl Snow, Kendall Straight, Phillip Ulery, Jordan

MERRIMACK

Alicea, Caroletta French, Harold Kenison, Linda Long, Douglas McGuire, Dan Seaworth, Brian

Wolf, Terry

Bradley, Paula Henle, Paul Kidder, David Marple, Richard Parent, Jason Shurtleff, Stephen Brewster, Michael Hill, Gregory Kotowski, Frank Martin, John Rice, Chip Walsh, Thomas Deloge, Helen Hoell, J.R. Kuch, Bill McGuire, Carol Schuett, Dianne

ROCKINGHAM

Abrami, Patrick Belanger, Ronald Christie, Andrew Doucette, Fred Francese, Paula Griffin, Mary Introne, Robert Kolodziej, Walter Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Rice, Frederick Sytek, John True, Chris

Webb, James

Allen, Mary
Cardon, G. Thomas
Dean-Bailey, Yvonne
Duarte, Joe
Friel, William
Harris, Jeffrey
Itse, Daniel
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Peckham, Michele
Schroadter, Adam
Tasker, Kyle
Tucker, Pamela
Welch. David

Baldasaro, Alfred Chase, Francis DeSimone, Debra Emerick, J. Tracy Gannon, William Hodgdon, Bruce Kappler, Lawrence Lundgren, David McMahon, Charles Osborne, Jason Potucek, John Spillane, James Thomas, Douglas Vose, Michael Weyler, Kenneth

Bates, David
Chirichiello, Brian
Devine, James
Fesh, Robert
Gordon, Richard
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine

Sweeney, Joe Tilton, Rio Ward, Joanne

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Mullen, John Southworth, Thomas Treleaven, Susan Wuelper, Kurt Bickford, David Gray, James Kaczynski, Jr., Thomas Pitre, Joseph Spang, Judith Turcotte, Leonard

Cheney, Catherine Groen, Warren Kaen, Naida Rollo, Deanna Sprague, Dale Verschueren, James DeLemus, Susan Hannon, Joseph Leeman, Don Smith, Marjorie Stevens, Audrey Ward, Kenneth

SULLIVAN

Gagnon, Raymond Rollins, Skip Gottling, Suzanne Smith, Steven Laware, Thomas

O'Hearne, Andrew

NAYS - 122 BELKNAP

Fraser, Valerie

Gallagher, Brian

Varney, Peter

CARROLL

Butler, Edward

Nelson, Bill

Ticehurst, Susan

CHESHIRE

Abbott, Michael Mann, John Roberts, Kris Tilton, Benjamin Chase, Cynthia McConnell, James Robertson, Timothy Johnsen, Gladys Pearson, William Shepardson, Marjorie Ley, Douglas Phillips, Larry Tatro, Bruce

COOS

Froburg, Alethea Thomas, Yvonne Moynihan, Wayne

Rappaport, Laurence

Theberge, Robert

GRAFTON

Abel, Richard Ford, Susan Johnson, Eric Smith, Suzanne Bennett, Travis Hennessey, Erin Maes, Kevin Sykes, George Brown, Rebecca Higgins, Patricia Massimilla, Linda

Darrow, Stephen Hull, Robert Nordgren, Sharon

HILLSBOROUGH

Booras, Efstathia Flanagan, Jack Hansberry, Daniel Jack, Martin McNamara, Richard Porter, Marjorie Shattuck, Gilman Woodbury, David Brown, Pamela Fromuth, Bart Harvey, Suzanne Long, Patrick Murotake, David Roberts, Carol Smith, Timothy

Cote, David Goley, Jeffrey Herbert, Christopher Mangipudi, Latha O'Brien, Michael Rosenwald, Cindy Vann, Ivy

Edelblut, Frank Guerette, C. Lee Hopper, Gary Manley, Jonathan Peterson, Ken Scontsas, Lisa Williams, Kermit

MERRIMACK

Bartlett, Christy Frazer, June Horn, Werner Moffett, Howard Rogers, Katherine Carson, Clyde French, Barbara Karrick, David Myler, Mel Saunderson, George

Doherty, David Gile, Mary Luneau, David Patten, Dick Turcotte, Alan Ebel, Karen Hirsch, Geoffrey MacKay, James Ratzki, Mario Wallner, Mary Jane

ROCKINGHAM

Abramson, Max Borden, David Cushing, Robert Azarian, Gary Cahill, Michael DiFranco, Debbie Barnes, Arthur Cali-Pitts, Jacqueline Elliott, Robert Berrien, Skip Cook, Allen Ferrante, Beverly Gordon, Pamela McBeath, Rebecca Woitkun, Steven Green, Dennis Sherman, Thomas Guthrie, Joseph Simpson, Alexis Heffron, Frank Ward, Gerald

STRAFFORD

Baber, William DiSesa, Len Bixby, Peter Horrigan, Timothy Burton, Wayne Schmidt, Peter Cilley, Jacalyn Wall, Janet

SULLIVAN

Cloutier, John

Converse, Larry

Grenier, James

Irwin, Virginia

Oxenham, Lee

Schmidt, Andrew

he majority committee report We

and the majority committee report was adopted.

The House recessed at 12:30 p.m.

RECESS

The House reconvened at 1:45 p.m.

(Speaker Jasper in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 502.

Rep. Hinch, Sen. Prescott for the Committee

INTRODUCTION OF SPECIAL GUESTS

Members of Leadership Greater Concord, guests of the House.

REGULAR CALENDAR CONT'D

HB 1416-FN, relative to funding for state criminal background checks. INEXPEDIENT TO LEGISLATE.

Rep. J.R. Hoell for Executive Departments and Administration. The measure would have authorized the Department of Safety (DOS) to set "reasonable" fees for state criminal background checks. Some people saw this as a new gun tax. Although, there was some discussion in the hearing on what reasonable fees would be, there was no definitive conclusion. Dealers testified that there would be serious logistical issues with collecting any fee. They wondered if it would be applied per phone call, per firearm, or per transaction. There were also questions about who would retain the data on those who made payments, as this data would create a list of gun owners in NH, something that the gun owners strongly objected to. To help explain the process, the current system treats handguns and long guns differently. Handgun purchases are run through the State Police for a check while long guns (rifles and shotguns) are run through the federal database. Currently, the National Instant Criminal Background Check System is a free service from the Federal Government and many felt that there was no reason to charge a fee for this same service in state. The proponents of the measure argued that the current system has a more up to date database and there was value to keeping this service in state, however they were seeking to reduce the delays in processing these transactions. With the exception of the sponsors and the DOS, everyone else testifying on this measure opposed this bill and the new fees that would have been set by the department. In addition, there were several hundred emails received opposing the measure and the vast majority of those in attendance to the hearing opposed this bill. Vote 11-4.

Committee report adopted.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. OUGHT TO PASS.

Rep. Mark Proulx for Executive Departments and Administration. This bill was filed at the request of the Department of Administrative Services. The department would like to add three part-time positions in response to the loss of a number of positions over the years. This will allow them to better provide the services that are required of the department. Vote 13-3.

Committee report adopted and referred to the Committee on Finance.

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes a position of licensed alcohol and drug counselor in the Department of Safety, Bureau of Emergency Medical Services. This individual will be charged with developing a statewide plan to train fire and emergency medical services personnel. As part of this legislature's commitment to addressing the heroin and opioid crisis claiming an increasing number of lives in the state of NH, the intent of this bill is to empower those on the front lines of this crisis to intervene in the most effective manner possible. With proper training, it is envisioned that those called to resuscitate an overdose patient have a critical window of opportunity to encourage that patient to take the first step towards rehabilitation. The original bill was amended to remove the pilot program of placing LADC's in three cities within the state, as there is not currently a clear consensus on the organizational structure or operational aspects of the pilot program. The committee felt that time will permit stakeholders in this issue to work on a shared vision of a potential pilot program that will be of optimal value in addressing the heroin and opioid crisis. Vote 12-3.

Amendment (0400h)

Amend RSA 21-P:12-b, IV as inserted by section 1 of the bill by deleting subparagraph (b) and renumbering the original subparagraph (c) to read as (b).

AMENDED ANALYSIS

This bill establishes the position of licensed alcohol and drug counselor in the department of safety, bureau of emergency medical services. The person holding the position shall be responsible for establishing a training program for fire and emergency medical services personnel. The bill makes an appropriation for this purpose.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Hansen spoke against.

Rep. Cilley spoke in favor and yielded to questions.

On a division vote, with 185 members having voted in the affirmative and 125 in the negative, the committee report was adopted and referred to the Committee on Finance.

HB 1524-FN-A, repealing fish and game department authority to establish fees by administrative rulemaking. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Richard McNamara for the Majority of Fish and Game and Marine Resources. The majority of the committee felt that the Fish and Game Department, which has recently been given the authority to set fees, be provided the opportunity to make the new system work before making major changes to the law. Vote 9-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill would rectify the unfortunate situation that occurred last year when the authority to set hunting and fishing license fees was granted to the Fish and Game Department by means of an amendment that the Senate attached to a House bill that dealt with an entirely different issue. The legislature has been successfully setting fees for the entire history of the Fish and Game Department and that oversight should be returned by passage of this bill. The amendment that the minority wishes to propose fixes a few issues with currently set fees.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Duarte spoke against and yielded to questions.

Rep. Webb spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 220 NAYS 133

YEAS - 220 BELKNAP

Fields, Dennis LeBreche, Shari Flanders, Donald Luther, Robert Fraser, Valerie Tilton, Franklin

Gallagher, Brian

CARROLL

Buco, Thomas Butler, Edward Chandler, Gene McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Ames, Richard Berch, Paul Bordenet, John Abbott, Michael Hunt, John Johnsen, Gladys Chase, Cynthia Eaton, Daniel Parkhurst, Henry Pearson, William Ley, Douglas Mann, John Shepardson, Marjorie Sad. Tara Phillips, Larry Robertson, Timothy Tatro, Bruce Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Richardson, Herbert Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Brown, Rebecca Cooney, Mary Abel. Richard Ford, Susan Hennessey, Martha Higgins, Patricia Darrow, Stephen Massimilla, Linda Piper, Wendy Maes, Kevin Ladd. Rick Townsend, Charles Svkes, George Shackett, Jeffrey Smith, Suzanne White, Andrew

HILLSBOROUGH

Backus, Robert Balcom, John Booras, Efstathia Biggie, Barbara Christensen, Chris Cohen, Alan DiSilvestro, Linda Donovan, Daniel Gidge, Kenneth Freitas, Mary Haefner, Robert Guerette, C. Lee Herbert, Christopher Heath, Mary Jeudy, Jean Kurk, Neal Long, Patrick Mangipudi, Latha McNamara, Richard O'Brien, Michael Peterson, Ken Pierce, David Roberts, Carol Rosenwald, Cindy Shaw, Barbara Shattuck, Gilman Soucy, Timothy Souza, Kathleen Williams, Kermit Vann, Ivy

Baroody, Benjamin Brown, Pamela Cornell, Patricia Edwards, Elizabeth Goley, Jeffrey Hansberry, Daniel Hinch, Richard LeBrun, Donald Manley, Jonathan Ober, Lynne Porter, Marjorie Rouillard, Claire Smith, Timothy Sullivan, Daniel Wolf, Terry Beaulieu, Jane Byron, Frank Cote, David Flanagan, Jack Gorman, Mary Harvey, Suzanne Jack, Martin Leishman, Peter McCarthy, Peggy Palmer, Barry Proulx, Mark Rowe, Robert Snow, Kendall Takesian, Charlene Woodbury, David

MERRIMACK

Bradley, Paula Carson, Clyde Alicea, Caroletta Bartlett, Christy Doherty, David Ebel. Karen Frazer, June French, Barbara Henle, Paul Hirsch, Geoffrey Karrick, David Gile, Mary Kotowski, Frank Long, Douglas Kenison, Linda Kidder, David Moffett, Howard Myler, Mel Luneau, David MacKay, James Rogers, Katherine Patten, Dick Ratzki, Mario Rice, Chip Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Saunderson, George Walsh, Thomas

ROCKINGHAM

Barnes, Arthur Belanger, Ronald Abrami, Patrick Azarian, Gary Cali-Pitts, Jacqueline Berrien, Skip Borden, David Cahill, Michael Cardon, G. Thomas Chirichiello, Brian Christie, Andrew Cushing, Robert DiFranco, Debbie Ferrante, Beverly DeSimone, Debra Devine, James Fesh. Robert Francese, Paula Gordon, Pamela Griffin, Mary Hagan, Joseph Heffron, Frank Hoelzel, Kathleen Guthrie, Joseph

200	HOUSE JOURNA	L I EBRUARI 10, 2010	
Introne, Robert Matthews, Carolyn O'Connor, John Simpson, Alexis Ward, Gerald Weyler, Kenneth	Katsakiores, Phyllis McBeath, Rebecca Packard, Sherman Sweeney, Joe Ward, Joanne Woitkun, Steven	Kolodziej, Walter McKinney, Betsy Pantelakos, Laura Sytek, John Webb, James	Lovejoy, Patricia Milz, David Sherman, Thomas Tilton, Rio Welch, David
	ST	RAFFORD	
Baber, William Burton, Wayne Horrigan, Timothy Southworth, Thomas Verschueren, James	Berube, Roger Cilley, Jacalyn Pitre, Joseph Spang, Judith Wall, Janet	Bickford, David DiSesa, Len Schmidt, Peter Stevens, Audrey Ward, Kenneth	Bixby, Peter Gray, James Smith, Marjorie Treleaven, Susan
	S	ULLIVAN	
Cloutier, John Grenier, James Schmidt, Andrew	Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond O'Hearne, Andrew	Gottling, Suzanne Oxenham, Lee
	N	AYS - 133	
		ELKNAP	
Aldrich, Glen Sylvia, Michael	Dumais, Russell Vadney, Herbert	Howard, Jr., Raymond Varney, Peter	Spanos, Peter
	C	ARROLL	
Avellani, Lino Wright, Ted	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
	C	HESHIRE	
McConnell, James	Roberts, Kris	Sterling, Franklin	Tilton, Benjamin
		COOS	
Hatch, William	Moynihan, Wayne	Rappaport, Laurence	Rideout, Leon
	G	RAFTON	
Bailey, Brad Hull, Robert	Brown, Duane Ingbretson, Paul	Gionet, Edmond Johnson, Eric	Hennessey, Erin Nordgren, Sharon
	HILL	SBOROUGH	
Adams, Christopher Burt, John Danielson, David Ferreira, Elizabeth Griffin, Barbara	Ammon, Keith Christiansen, Lars Eastman, Eric Fromuth, Bart Halstead, Carolyn	Belanger, James Christie, Rick Edelblut, Frank Gagne, Larry Hansen, Peter	Boehm, Ralph Coffey, James Estevez, Eric Gould, Linda Hogan, Edith
Hopper, Gary Moore, Josh O'Brien, William Pellegrino, Anthony	Lachance, Joseph Murotake, David Ober, Russell Rice, Kimberly	McClarren, Donald Murphy, Keith Ohm, Bill Schleien, Eric	McLean, Mark Notter, Jeanine Parison, James Scontsas, Lisa
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MERRIMACK

Ulery, Jordan

Smith, Gregory

Zaricki, Nick

Stepanek, Stephen

Deloge, Helen Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Kuch, Bill Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian Wallner, Mary Jane

Simmons, Tammy

Sullivan, Victoria

Seidel, Carl

Straight, Phillip

ROCKINGHAM

Baldasaro, Alfred Bates, David Allen, Mary Abramson, Max Duarte, Joe Chase, Francis Cook, Allen Dean-Bailey, Yvonne Gannon, William Gordon, Richard Elliott, Robert Emerick, J. Tracy Harris, Jeffrey Hodgdon, Bruce Itse. Daniel Green, Dennis Lundgren, David McMahon, Charles Nigrello, Robert Kappler, Lawrence Potucek, John Prudhomme-O'Brien, Katherine Peckham, Michele Osborne, Jason Tamburello, Daniel Schroadter, Adam Spillane, James Rice. Frederick Tucker, Pamela Tasker, Kyle Thomas, Douglas True, Chris Vose, Michael

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Turcotte, Leonard Whitehouse, Joshua Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

HB 1557-FN, relative to alcohol and drug treatment programs. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Stephen Schmidt for the Majority of Health, Human Services and Elderly Affairs. The amendment to HB 1557-FN requires the legislative budget assistant office to evaluate the "feasibility" of calculating and using cost effectiveness in evaluating new and existing state programs. The majority of the committee recognizes that this approach would result in a paradigm shift of how the allocation of finite state dollars would be used for authorized programs. This bill does no more than establish a pathway to determine the feasibility and potential resources required to accomplish this methodology. Presently, program effectiveness, if it's measured at all, is based on transactional metrics such as number of clients served, or number of bridges required. These metrics are interesting, but provide no assurance that monies are well spent. Vote 11-7.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. The original title of this bill was "an act relative to alcohol and drug treatment programs." The bill has been transformed into a direction to the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness methods throughout all state programs. The minority is concerned that the amendment differs so much from the original bill that it is a non-germane amendment requiring a new hearing under House Rule 45 (b). In addition, the minority does not understand why a statute is required instead of having the appropriate authority simply direct, or authorize the legislative budget assistant to study this issue.

Majority Amendment (0326h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to cost effectiveness of programs implemented within state agencies.

Amend the bill by replacing all after the enacting clause with the following:

1 Office of Legislative Budget Assistant; Cost Effectiveness of Programs Within State Agencies.

- I. The legislative budget assistant, in collaboration with the department of administrative services and such other organizations as he or she may wish to consult, shall evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. The process for determining cost effectiveness shall include, but not be limited to, the following steps:
- (a) Systematically assessing all high-quality studies from the United States and elsewhere to identify policy options that have been tried and tested and found to achieve improvements in outcomes.
- (b) Determining how much it would cost to produce the results found in subparagraph (a) in this state, determining the value of the benefits from such an improved outcome, and calculating the net present value thereof.
- (c) Assessing the risk in the estimates to determine the probability that a particular policy options benefits will outweigh its costs.

(d) Ranking programs in state agencies based on value and risk.

II. The department of administrative services and each state agency shall furnish to the legislative budget assistant information, excluding information otherwise confidential under law, he or she may request in the course of carrying out the duties under this section in a mutually agreeable and compatible format.

III. The legislative budget assistant shall make an initial report by November 1, 2016, on the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. If the legislative budget assistant determines that calculating cost effectiveness is feasible, he or she shall make a final report on or before November 1, 2017, including recommendations for legislation, to the commissioner of administrative services, the chairpersons of the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the state library, and the governor.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

CLERK'S NOTE

The Speaker ruled that Majority Amendment (0326h) was non-germane to HB 1557-FN, relative to alcohol and drug treatment programs, and as it did not have a public hearing, the Speaker ruled that House Rules must be suspended in order for the amendment to be adopted. The Chair of the Committee did not ask for a rules suspension. The report and question before the House is Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Weber moved that **HB 1557-FN**, relative to alcohol and drug treatment programs, be laid on the table. On a division vote, with 232 members having voted in the affirmative and 124 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1619-FN, relative to the use of narcan, REFER FOR INTERIM STUDY.

Rep. James MacKay for Health, Human Services and Elderly Affairs. The committee felt that this potentially significant legislation required further study. The utilization of recovery coaches in the process of treatment for an overdose is pertinent to comprehensive plans. Hospitals expressed an interest, but have significant questions that need to be clarified. Other questions revolved around certification and training requirements. There is a unanimous agreement that further study could provide an enhanced piece of legislation. Vote 18-0.

Rep. Hopper spoke against.

Rep. MacKay spoke in favor.

On a standing division vote, with 277 members having voted in the affirmative and 66 in the negative, the committee report was adopted.

HB 1695-FN, establishing an office of health services planning and review within the department of health and human services. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill, as amended, facilitates the gathering of data on all aspects of the health care system including cost, financing, quality, patient safety, system performance and efficiency. The data is collected through a memorandum of understanding between the Department of Health and Human Services, the Insurance Department and the Attorney General's office. For the most part, this is data that is already being collected through the three agencies. A website is to be established in the Department of Health and Human Services to allow all stakeholders and members of the public access to this data to aid in health care planning decisions. In addition, a health care data council is created to monitor the data thus collected and assess the effect on patient safety, cost, quality access and performance. The council is charged with aiding the commissioner of DHHS to create a 10-year health care plan for the state. The council is charged with reviewing and evaluating best practices and efficiencies as to quality and cost of care. The council will make a report on November 1, 2016, and annually thereafter. The bill sets up a fund to be used for costs of implementing the bill, but there is no funding mechanism included in the bill and no appropriation is being sought. Vote 18-0.

Amendment (0323h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a health system public data resource plan for New Hampshire and establishing a special fund.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Health System Public Data Resource Plan. Amend RSA 126-A by inserting after section 69 the following new subdivision:

Health System Public Data Resource Plan

126-A:70 Health System Public Data Resource Plan; Council Established.

- I.(a) Pursuant to the memorandum of understanding set forth in paragraph V, the department of health and human services shall make publicly available through an Internet website consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.
- (b) The information made available shall be maintained as a resource for decision making and policy analysis by state and local planners, policy makers, health care system entities, purchasers of health care, and the public. The information shall also be used by the department, in consultation with the health system public data resource planning council established in paragraph III, to plan and monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance.
- II. The commissioner, in consultation with the health system public data resource planning council, shall coordinate and provide support for the development of a 10-year health system public data resource plan for New Hampshire. The plan shall take into consideration and align itself with other existing multi-year plans, as appropriate. The plan shall be developed as an information resource for use by health care providers, health insurance carriers, health care purchasers, and the general court to develop and implement programs and policies and provide guidance to state agencies when implementing programs and policies. The plan shall include:
- (a) Analysis of the health care needs of both the state as a whole and each geographic region of the state.
- (b) Analysis of current health care system safety, cost, quality, access, system performance, and financing.
 - (c) Specific goals and objectives the state should accomplish over the 10-year period.
 - (d) Methods of evaluating progress to meeting the goals and objectives.
- III.(a) There is hereby established a health system public data resource planning council. The membership of the council shall be as follows:
- $(\tilde{1})$ Two members of the house of representatives, appointed by the speaker of the house of representatives.
 - (2) One member of the senate, appointed by the senate president.
 - (3) The commissioner of the department of health and human services, or designee.
 - (4) The insurance commissioner, or designee.
 - (5) The attorney general, or designee.
- (6) One member representing health care facilities, appointed by the New Hampshire Hospital Association.
- (7) One member representing health care practitioners, appointed by the New Hampshire Medical Society.
- (8) One member representing municipal planners, appointed by the New Hampshire Planners Association.
- (9) One member representing public health practitioners, appointed by the New Hampshire Public Health Association.
 - (10) One member representing community services providers, appointed by the governor.
 - (11) One public member representing health care consumers, appointed by the governor.
- (12) One member representing public purchasers of health insurance, appointed by the governor.
- (13) One member representing private purchasers of health insurance, appointed by the governor.
 - (14) One member representing health insurance carriers, appointed by the governor.

- (15) A representative of community health centers, appointed by the Bi-State Primary Care Association.
- (b) Members of the council shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the council. The members, other than those representing state agencies and the legislature, shall serve 3-year terms and shall not serve more than 2 full consecutive terms. Those members representing state agencies shall serve as nonvoting members on the council.
- (c) The council may meet as often as necessary to effectuate its goals. The first meeting shall be called by the commissioner of health and human services within 45 days of the effective date of this subdivision. At the first meeting, a chairman shall be elected by the members. Seven members of the council shall constitute a quorum.
 - (d) The council shall:
- (1) Provide advice and consultation to the commissioner regarding the development, implementation, and maintenance of the health system public data resource plan.
- (2) Review and evaluate best practices to make publicly available consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.
- (3) Monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance. The council's authority and duties shall be limited to the provisions of this subdivision.
- (4) The council shall make an initial report on November 1, 2016 with an annual report on each November 1 thereafter, relative to the health system public data resource plan and information Internet website. The reports shall include the council's findings and any recommendations for proposed legislation and shall be submitted to the oversight committee on health and human services established in RSA 126-A:13, the chairpersons of the house and senate standing committees having jurisdiction over health and human services issues, the speaker of the house of representatives, the president of the senate, and the governor.
- IV. The commissioner, in consultation with the council, shall release the initial version of the health system public data resource plan no later than January 1, 2017 or 8 months after the effective date of this subdivision, whichever is later.
- V. The commissioner, in consultation with the council, shall enter into a memorandum of understanding with the insurance commissioner and attorney general for collaboration in the development of the publicly available information specified in paragraph I. The memorandum of understanding shall include a description of the resources that shall be made available to the department and shall specifically identify data and reports which shall be shared with the department.
- VI. Pursuant to the memorandum of understanding under paragraph V, the commissioner, in consultation with the council, shall adopt rules under RSA 541-A, as may be necessary, relative to collecting aggregate information from health care providers and the insurance department that is not proprietary information on new health system projects, and associated costs under the provisions of this subdivision.
- VII. The department, in consultation with the council, shall make the health system public data resource plan and meet other requirements set forth in this subdivision, subject to sufficient and available funding.
- 126-A:71 Health System Public Data Resource Plan Fund; Established. There is established the health system public data resource plan fund, which shall be nonlapsing and continually appropriated to the department and administered by the commissioner for the purposes of this subdivision. Pursuant to the memorandum of understanding under RSA 126-A:70, V, the fund shall be used for costs incurred by the department in carrying out the requirements under this subdivision. All monetary funds, grants, gifts, donations, or interest generated by the fund shall be deposited with the state treasurer in the fund.
- 2 New Subparagraph; Application of Receipts; Health System Public Data Resource Plan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:
- (332) Moneys deposited in the health system public data resource plan fund, established in RSA 126-A:71.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a health system public data resource plan for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill also establishes a health system public data resource planning council to provide consultation for the development of a 10-year health system public data resource plan for New Hampshire. The bill also establishes a fund for the implementation and administration of the requirements of the plan. Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 1696-FN, requesting a modification of the New Hampshire health protection program. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for the Majority of Health, Human Services and Elderly Affairs. This bill reauthorizes the New Hampshire Health Protection Program for 2017 and 2018. The NHHPP developed in 2014 was for residents not qualifying for Medicaid and not qualified for subsidies on the Health Insurance Exchange, also known as expanded Medicaid. The program allows 47,000 low income residents and neighbors better access to healthcare leading to improved healthcare outcomes. Testimony from individuals as well as hospitals, community health centers; insurance carriers, business, the NH Municipal Association and others overwhelmingly supported the bill. There are multiple economic benefits including the infusion of hundreds of millions of dollars of federal funding, providing fiscal stability to hospitals and other healthcare providers and finally helping to provide a healthier workforce. The program provides a robust substance abuse benefit, a much needed service to fight the opioid epidemic. With this legislation there are no new taxes and no use of general funds. Voluntary contributions by insurance carriers and hospitals will make the special purpose trust whole. Any deficiency in the trust and the NHHPP ceases to operate as well as no risk for taxpayers. New enrollees will be expected to work if they are able. This bill is well crafted and represents a bipartisan effort to help a vulnerable portion of New Hampshire residents. Vote 17-1.

Rep. Joanne Ward for the Minority of Health, Human Services and Elderly Affairs. If a deal sounds too good to be true, it generally is. The federal funds will roll in and the hospitals will chip in and the state will come out even. So what is the problem? There are no guarantees that either party will fulfill their obligations. Of course the hospitals will chip in to pay for the expansion. Uncompensated care is down significantly since this program was expanded and they receive reimbursement for emergency visits. It is a win-win for hospitals and community health care centers because of the reimbursement rates. There is less uncompensated care in the emergency rooms, but that is not to say there are less visits. There is no incentive for preventative care. Yes, there are deductibles of 8 or 25 dollars for inappropriate uses of the emergency room. Is this small amount really a disincentive? And we have to rely on the federal government to grant us a waiver to provide a waiver for this to happen. How can the state deny 47,000 people health insurance if it is working so well, how many of those previously had health care but shifted to medicaid insurance because it is less expensive, how many of our incarcerated have been shifted to this program? How sad is it that the ACA, which was intended to fix this problem, didn't? How sad is it that our citizens on Medicare need supplemental insurance to pay for their care, how sad is that our citizens on medicaid are denied treatment by some providers, and how sad are the deductibles and premiums that many of us pay for private insurance? Wouldn't it be great if the state would pay for all of this? The federal government has proven that the ACA is a failed expensive health care solution. So should the taxpayers of the state be on the hook to pay for the failure? Medicaid expansion is private insurance; it is an expansion of a failed government program. This expansion will cover able-bodied young people who can get insurance on the exchange if they work for it. This is not medicaid, it is very different, it shifts costs to the privately insured. Medicaid is intended for un-insured children, elderly, disabled and less fortunate. This expansion may merely shift costs to the insured through higher deductibles and premiums.

Majority Amendment (0345h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; New Hampshire Health Protection Plan. Amend RSA 126-A:5 by inserting after paragraph XXIX the following new paragraph:

- XXX.(a)(1) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:
 - (A) Unsubsidized employment.
 - (B) Subsidized private sector employment.
 - (C) Subsidized public sector employment.

(D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.

- (E) On-the-job training.
- (F) Job search and job readiness assistance.
- (G) Community service programs.
- (H) Vocational educational training not to exceed 12 months with respect to any individual.
- (I) Job skills training directly related to employment.
- (J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.
- (K) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.
- (L) The provision of child care services to an individual who is participating in a community service program.
- (2) The requirements under subparagraph (1) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).
- (3) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).
- (4) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.
 - (5) This subparagraph shall not apply to:
- (A) A person who is temporarily unable to participate in the requirements under subparagraph (a)(1) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.
- (B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.
- (C) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.
- (6) If any provision of this subparagraph, or the application thereof to any person or circumstance, is held invalid, including, but not limited to, being contrary to federal law or rejected by the Centers for Medicare and Medicaid Services(CMS) in necessary state plan amendments or waivers, such determination shall not affect the provisions or applications of this subparagraph which can be given effect without the invalid provision or application, and to that end the provisions of this subparagraph are severable.
- (b) Newly eligible adults who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.
- (c) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place

by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

2 Insurance Premium Tax; New Hampshire Health Protection Program. Amend RSA 400-A:32, III to read as follows:

III.(a) Except as provided in subparagraph (b), the taxes imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to the state treasurer for deposit to the general fund.

(b) Taxes imposed attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI shall be deposited into the New Hampshire health protection trust fund, established in RSA 126-A:5-b. The commissioner shall notify the state treasurer of sums for deposit into the New Hampshire health protection trust fund no later than 30 days after receipt of said taxes.

3 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, [2016] 2018 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

4 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, [2016] 2018. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from federal funds as provided under 42 U.S.C. section 1396d(y).

5 New Hampshire Health Protection Trust Fund. Amend the introductory paragraph of RSA 126-A:5-b, I to read as follows:

I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide payment and reimbursement for medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, [XXIII] XXIV-XXVI and RSA 126-A:67. The commissioner may accept any gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. No state general fund appropriations shall be deposited into the fund. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse.

6 New Sections; Funding the State Share of the New Hampshire Health Protection Program. Amend RSA 126-A by inserting after section 5-b the following new sections:

126-A:5-c Funding the State Share of the New Hampshire Health Protection Program.

I. In this section:

- (a) "Program" means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.
- (b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 less all federal reimbursement for the program and the cost of the program for coverage effective between July 1, 2017 and December 31, 2018 less all federal reimbursement for the program; and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).
- II. Funding for the program from January 1, 2017 until December 31, 2018 shall not be funded from general funds. The program shall be funded as follows:
 - (a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).
- (b) Revenue generated under RSA 400-A:32, III(b) attributable to policies purchased under the New Hampshire health protection program between July 1, 2017 and December 31, 2018.
 - (c) Other non-general fund revenues.
- III. If at any time the sum total of the federal match rate applied, as set forth in 42 U.S.C. section 1396d(y)(1), and insurance premium tax revenues attributable to the program and revenue from non-general fund sources is insufficient to fully fund the program for newly eligible adults under RSA 126-A:5, XXIV-XXV and is less than 100 percent, then RSA 126-A:5, XXIV and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services and consistent with the terms of the waiver for this program issued by the Centers for Medicare and Medicaid Services.
- IV. On or before August 15th of each fiscal year, the department of health and human services, in consultation with the insurance department, shall calculate the remainder amount pursuant to this section. The remainder amount shall be calculated utilizing estimated insurance premium taxes attributable to medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI for each fiscal year. The commissioner of health and human services shall report the remainder amounts to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president.
- V. After the close of each fiscal year, on or before January 15th, the department of health and human services, in consultation with the insurance department, shall recalculate the remainder amount utilizing actual insurance premium tax revenues attributable to medical and other medical-related services for the newly eligible Medicaid population provided for under RSA 126-A:5, XXIV-XXVI for the completed fiscal year. The commissioner of health and human services shall compare the remainder amount calculations under this paragraph with the remainder amount calculations under paragraph IV and report the results to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president. Any difference between amounts calculated under paragraphs IV and V for a completed fiscal year shall be added to the remainder amount due and payable during the current fiscal year. In the event that actual program costs are less than funds received, the difference shall be credited against the remaining amount for the next payable period.

126-A:5-d Hospital Contributions.

- I. For the period of January 1, 2017 through December 31, 2018, to fund an amount, not to exceed 50 percent of the remainder amount as defined in RSA 126-A:5-c, I(b), for benefits contained in RSA 126-A:5, XXIV-XXV, consistent with the schedule outlined in 42 U.S.C. section 1396d(y) (1), the following contributions shall be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b, in the following order:
- (a) Voluntary provider donations as described in 42 C.F.R. section 433.54(d) from individual hospital contributions of \$50,000 each per year from all acute care hospitals in the state; and
- (b) The balance of any required remainder amount, after deducting amounts collected pursuant to subparagraph (a), shall be met with voluntary direct individual hospital contributions from acute care hospitals with individual hospital donation amounts as recommended by the New Hampshire Hospital Association relative to hospital net patient services revenue.
- II. Hospitals are requested to contribute the amounts in subparagraph I(a) by October 15 of each fiscal year to the New Hampshire health protection trust fund.

- III. Hospitals are requested to contribute the amounts specified in subparagraph I(b) in equal 1/3 installments by February 15, April 15, and June 15 of each fiscal year.
 - 7 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1, II to read as follows:
- II. Create a nonprofit, voluntary organization to facilitate the availability of affordable individual nongroup health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market and to support the marketplace premium assistance program established in RSA 126-A:5, XXIV.

8 Individual Health Insurance Market; Definitions. Amend RSA 404-G:2, X-a to read as follows:

- X-a. "Plan of operation" means the plan of operation of the risk sharing mechanism, the high risk pool, support for the program established in RSA 126-A:5, XXIV, and the federally qualified high risk pool, including articles, bylaws and operating rules, procedures and policies adopted by the association.
- 9 New Paragraph; Individual Health Insurance Market; Definitions. Amend RSA 404-G:2 by inserting after paragraph X-b the following new paragraph:
- X-c. "Program" means the marketplace premium assistance program established pursuant to RSA 126-A:5, XXIV.
- 10 Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(b) and (c) to read as follows:
- (b) Established no later than November 1 in the year preceding the calendar year for which the carrier's experience shall be used to calculate the assessment; [and]
- (c) Anticipated to be sufficient to meet the high risk pool's funding needs and the association's share of the costs of the program, as defined in subparagraph (d); and
- (d) For the period of January 1, 2017 through December 31, 2018, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 420-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 420-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.
- 11 High Risk Pool; Termination Activities and Dissolution. Amend RSA 404-G:11, VI to read as follows:
- VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be [returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association] used for the program and for the association's reasonable costs for collecting its share of the remainder amount.
- VI-a. No later than October 1, 2016, the board of directors shall prepare and submit to the commissioner and the commissioner of health and human services for approval an amendment to the plan of termination that provides for the continuation of the association for the limited purpose of compliance with the provisions of RSA 404-G:5-a, IV(d).
- 12 New Section; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program. Amend RSA 126-A by inserting after section 126-A:5-d the following new section:
 - 126-A:5-e Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program.
- I. There is hereby established a commission to evaluate the effectiveness and future of the premium assistance program.
 - (a) The members of the commission shall be as follows:
- (1) Three members of the senate appointed by the president of the senate, one of whom shall be a member of the minority party.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.
 - (3) The commissioner of the department of health and human services, or designee.
 - (4) The commissioner of the department of insurance, or designee.

- (5) A representative of an insurance carrier that offers policies for sale in New Hampshire on the exchange, appointed by the senate president.
- (6) A representative of a hospital that operates in New Hampshire, appointed by the speaker of the house of representatives.
 - (7) A public member, who is a taxpayer, appointed by the senate president.
- (8) A public member, who currently receives insurance coverage through the program, appointed by the speaker of the house of representatives.
 - (9) A licensed physician, appointed by the governor.
 - (10) A licensed mental health professional, appointed by the governor.
 - (11) A masters level licensed alcohol and drug counselor, appointed by the governor.
- (b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- II.(a) The commission shall evaluate the effectiveness and future of the premium assistance program. Specifically the commission shall:
 - (1) Review the program's financial metrics
 - (2) Review the program's product offerings.
 - (3) Review the program's impact on insurance premiums for individuals and small businesses.
- (4) Make recommendations for future program modifications, including, but not limited to whether the premium assistance program is the most cost-effective model for the long term versus a return to private market managed care.
 - (5) Evaluate non-general fund funding options for longer term continuation of the program.
- (b) Any funding solutions recommended by the commission shall not include the use of new general funds.
- (c) The commission shall solicit information from any person or entity the commission deems relevant to its study.
- III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.
- IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2017.
 - 13 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:
- I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, [XXIII] XXIV-XXV between July 1, 2014 December 31, 2016 is less than 100 percent, less than 95 percent in 2017 and less than 94 percent in 2018, of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5[-XXIII--] XXIV[-] and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services.
 - 14 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a to read as follows:
- I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, [2016] 2018. 15 Repeal. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program, is repealed.
 - 16 Effective Date.
 - I. Section 2 of this act shall take effect July 1, 2017.
 - II. Section 15 of this act shall take effect December 1, 2017.
 - III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill also includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues.

Rep. Carol McGuire spoke against.

Rep. Fothergill spoke in favor.

On a standing division vote, with 186 members having voted in the affirmative and 116 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Leonard Turcotte offered floor amendment (0431h).

Floor Amendment (0431h)

Amend RSA 126-A:5, XXX(a)(6) as inserted by section 1 of the bill by deleting it.

Rep. Leonard Turcotte spoke in favor.

Rep. Stephen Schmidt spoke against.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 143 NAYS 206

YEAS - 143 BELKNAP

Aldrich, Glen Dumais, Russell Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Sylvia, Michael Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank Parker, Harold Wright, Ted

CHESHIRE

Hunt, John McConnell, James

COOS

Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christiansen, Lars Christie, Rick Coffey, James Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gagne, Larry Gould, Linda Griffin, Barbara Halstead, Carolyn Hansen, Peter Infantine, William Hopper, Gary Kurk, Neal McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine O'Brien, William Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry Parison, James Pellegrino, Anthony Rice, Kimberly Peterson, Ken Rouillard, Claire Schleien, Eric Scontsas, Lisa Seidel, Carl Simmons, Tammy Souza, Kathleen Smith, Gregory Stepanek, Stephen Sullivan, Victoria Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kuch, Bill Long, Douglas Marple, Richard
Martin, John McGuire, Carol McGuire, Dan Parent, Jason
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Baldasaro, Alfred Barnes, Arthur Bates, David Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne Duarte, Joe Emerick, J. Tracy Ferrante, Beverly Gannon, William Gordon, Richard Green, Dennis Hagan, Joseph Harris, Jeffrey Hodgdon, Bruce Itse, Daniel Kappler, Lawrence

Manley, Jonathan

Porter, Marjorie

Rowe, Robert

Snow, Kendall

Takesian, Charlene Woodbury, David

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Katsakiores, Phyllis Potucek, John Sweeney, Joe True, Chris	Kolodziej, Walter Prudhomme-O'Brien, Katherine Tamburello, Daniel Tucker, Pamela	McKinney, Betsy Schroadter, Adam Tasker, Kyle Vose, Michael	Osborne, Jason Spillane, James Thomas, Douglas Ward, Joanne
Weyler, Kenneth	Woitkun, Steven	,	,
	CTD A	FFORD	
Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Leeman, Don	Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			
	SUL	LIVAN	
Laware, Thomas	Rollins, Skip		
	NAV	'S - 206	
		KNAP	
Fields, Dennis	Flanders, Donald	Spanos, Peter	Tilton, Franklin
Fields, Deliliis	Flatidets, Dollaid	Spanos, Feter	ritori, Frankini
	CAR	RROLL	
Buco, Thomas	Butler, Edward	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	
	CHE	SHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy
	C	oos	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne	,	•	
	GRA	AFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew
	HILLSE	OROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Booras, Efstathia	Brown, Pamela	Christensen, Chris
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Harvey, Suzanne Jack, Martin	Heath, Mary Jeudy, Jean	Herbert, Christopher Lachance, Joseph
Hinch, Richard LeBrun, Donald	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Markey Israels	M-Oadha Danas	OlDrice Michael	Diarra David

O'Brien, Michael

Roberts, Carol

Shaw, Barbara

Straight, Phillip

Williams, Kermit

McCarthy, Peggy Proulx, Mark

Shattuck, Gilman

Soucy, Timothy

Vann, Ivy

Pierce, David

Smith, Timothy

Sullivan, Daniel

Wolf, Terry

Rosenwald, Cindy

MERRIMACK

Carson, Clyde Bradley, Paula Bartlett, Christy Alicea, Caroletta French, Barbara Doherty, David Ebel, Karen Deloge, Helen Karrick, David Henle, Paul Hirsch, Geoffrey Gile, Mary Kotowski, Frank Luneau, David Kidder, David Kenison, Linda Patten, Dick Moffett, Howard Myler, Mel MacKay, James Saunderson, George Rogers, Katherine Rice, Chip Ratzki, Mario Wallner, Mary Jane Turcotte, Alan Shurtleff, Stephen Schuett, Dianne

ROCKINGHAM

Cahill, Michael Borden, David Berrien, Skip Azarian, Gary Christie, Andrew Cardon, G. Thomas Chase, Francis Cali-Pitts, Jacqueline DiFranco, Debbie DeSimone. Debra Devine, James Cushing, Robert Fesh, Robert Francese, Paula Doucette, Fred Elliott, Robert Heffron, Frank Guthrie, Joseph Gordon, Pamela Griffin, Mary Lovejoy, Patricia Matthews, Carolyn Hoelzel, Kathleen Introne, Robert Nigrello, Robert Milz, David McBeath, Rebecca McMahon, Charles Peckham, Michele Pantelakos, Laura O'Connor, John Packard, Sherman Sytek, John Simpson, Alexis Rice, Frederick Sherman, Thomas Welch, David Webb, James Ward, Gerald Tilton, Rio

STRAFFORD

Bickford, David Bixby, Peter Berube, Roger Baber, William Gray, James DiSesa, Len Burton, Wayne Cilley, Jacalyn Southworth, Thomas Schmidt, Peter Smith, Marjorie Mullen, John Treleaven, Susan Sprague, Dale Stevens, Audrey Spang, Judith Ward, Kenneth Wall, Janet Verschueren, James

SULLIVAN

Gagnon, Raymond Gottling, Suzanne Converse, Larry Cloutier, John Oxenham, Lee Irwin, Virginia O'Hearne, Andrew Grenier, James Smith, Steven

Schmidt, Andrew and floor amendment (0431h) failed.

Rep. Horrigan voted Yea and intended to vote Nay.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Cordelli offered floor amendment (0460h).

Floor Amendment (0460h)

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The New Hampshire health protection program established under RSA 126-A:5, XXIV-XXV

shall be limited to 60,000 participants.

(d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. The bill also limits the New Hampshire health protection program to 60,000 participants.

Rep. Cordelli spoke in favor.

Rep. Umberger spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 138 NAYS 210

YEAS - 138 BELKNAP

Aldrich, Glen Dumais, Russell Howard, Jr., Raymond LeBreche, Shari Vadney, Herbert Varney, Peter Fraser, Valerie Luther, Robert

Gallagher, Brian Sylvia, Michael

CARROLL

Avellani, Lino Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

COOS

Rappaport, Laurence

GRAFTON

Brown, Duane Hennessey, Erin Johnson, Eric Ladd, Rick

Hull, Robert Shackett, Jeffrey Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher
Burt, John
Danielson, David
Estevez, Eric
Gagne, Larry
Hogan, Edith
McClarren, Donald
Murphy, Keith
Ober, Russell
Peterson, Ken
Schleien, Eric
Smith, Gregory
Sullivan, Victoria

Byron, Frank
Donovan, Daniel
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
McLean, Mark
Notter, Jeanine
Ohm, Bill
Pierce, David
Scontsas, Lisa
Souza, Kathleen
Ulery, Jordan

Rideout, Leon

Ammon, Keith

Balcom, John Christie, Rick Eastman, Eric Flanagan, Jack Halstead, Carolyn Infantine, William Moore, Josh O'Brien, William Parison, James Rice, Kimberly Seidel, Carl Stepanek, Stephen Wolf, Terry

Boehm, Ralph Coffey, James Edelblut, Frank Fromuth, Bart Hansen, Peter Kurk, Neal Murotake, David Ober, Lynne Pellegrino, Anthony Rouillard, Claire Simmons, Tammy Straight, Phillip Zaricki, Nick

MERRIMACK

Brewster, Michael Horn, Werner McGuire, Carol French, Harold Kuch, Bill McGuire, Dan Hill, Gregory Long, Douglas Parent, Jason

Hoell, J.R. Martin, John Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Dean-Bailey, Yvonne
Gannon, William
Hodgdon, Bruce
Nigrello, Robert
Prudhomme-O'Brien, Katherine
Tamburello, Daniel
True, Chris
Weyler, Kenneth

Abramson, Max Bates, David Emerick, J. Tracy Gordon, Richard Itse, Daniel Osborne, Jason Schroadter, Adam Tasker, Kyle Tucker, Pamela Woitkun, Steven

Allen, Mary Chirichiello, Brian Ferrante, Beverly Green, Dennis Kappler, Lawrence Packard, Sherman Spillane, James Thomas, Douglas Vose, Michael Baldasaro, Alfred Cook, Allen Fesh, Robert Harris, Jeffrey Kolodziej, Walter Peckham, Michele Sweeney, Joe Tilton, Rio Ward, Joanne

STRAFFORD

Beaudoin, Steven Hannon, Joseph Pitre, Joseph DeLemus, Susan Jones, Laura Turcotte, Leonard Graham, Robert Kaczynski, Jr., Thomas Whitehouse, Joshua

Groen, Warren Leeman, Don

SULLIVAN

NAYS - 210 BELKNAP

	B	ELKNAP				
Fields, Dennis	Flanders, Donald	Spanos, Peter	Tilton, Franklin			
	CARROLL					
Butler, Edward	McConkey, Mark	Nelson, Bill	Parker, Harold			
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	Wright, Ted			
Commun, Cropmon			•			
		HESHIRE				
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John			
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys			
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William			
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara			
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin			
Weber, Lucy		COOS				
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne			
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne			
, , , , , , , , , , , , , , , , , , , ,		RAFTON				
At at Distance			Brown, Rebecca			
Abel, Richard	Almy, Susan	Bailey, Brad Ford, Susan	Gionet, Edmond			
Cooney, Mary	Darrow, Stephen	Maes. Kevin	Massimilla, Linda			
Hennessey, Martha	Higgins, Patricia	Smith, Suzanne	Sykes, George			
Nordgren, Sharon	Piper, Wendy	Simili, Suzanne	Sykes, George			
Townsend, Charles	White, Andrew					
	HILL	SBOROUGH				
Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Belanger, James			
Biggie, Barbara	Booras, Efstathia	Brown, Pamela	Christensen, Chris			
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David			
DiSilvestro, Linda	Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth			
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee			
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary			
Herbert, Christopher	Hinch, Richard	Jack, Martin	Jeudy, Jean			
Lachance, Joseph	LeBrun, Donald	Leishman, Peter	Long, Patrick			
Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy	O'Brien, Michael			
Palmer, Barry	Porter, Marjorie	Proulx, Mark	Roberts, Carol			
Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman	Shaw, Barbara			
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel			
Takesian, Charlene	Vann, Ivy	Williams, Kermit	Woodbury, David			
	ME	CRRIMACK				
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde			
Deloge, Helen	Doherty, David	Ebel, Karen	French, Barbara			
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David			
Kenison, Linda	Kidder, David	Kotowski, Frank	Luneau, David			
MacKay, James	Marple, Richard	Moffett, Howard	Myler, Mel			
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine			
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan			
Wallner, Mary Jane	RO	CKINGHAM				
Azarian Ganz	Berrien, Skip	Borden, David	Cahill, Michael			
Azarian, Gary	Cardon, G. Thomas	Chase, Francis	Christie, Andrew			
Cali-Pitts, Jacqueline	DeSimone, Debra	Devine, James	DiFranco, Debbie			
Cushing, Robert Doucette, Fred	Duarte, Joe	Elliott, Robert	Francese, Paula			
Corden Demole	Griffin Mony	Guthrio Joseph	Hann Incenh			

Gordon, Pamela

Griffin, Mary

Guthrie, Joseph

Hagan, Joseph

Heffron, Frank
Lovejoy, Patricia
Matthews, Carolyn
McMahon, Charles
Milz, David
Potucek, John
Rice, Frederick
Sytek, John
Ward, Gerald

Introne, Robert Katsakiores, Phyllis
McBeath, Rebecca McKinney, Betsy
O'Connor, John Pantelakos, Laura
Sherman, Thomas Simpson, Alexis
Webb, James Welch, David

STRAFFORD

Baber, William Berube, Roger Bickford, David Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gray, James Horrigan, Timothy Mullen, John Schmidt, Peter Smith, Mariorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet Ward, Kenneth Wuelper, Kurt

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

Schmidt, Andrew

and floor amendment (0460h) failed.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro offered floor amendment (0493h).

Floor Amendment (0493h)

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

- (c) All veterans who are current New Hampshire residents shall receive medical and medicalrelated services from any hospital in this state providing services to the newly eligible Medicaid population.
- (d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also allows veterans who are New Hampshire residents to receive services under the New Hampshire health protection program. Rep. Umberger spoke in favor.

Rep. Baldasaro spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 302 NAYS 48

YEAS - 302 BELKNAP

Aldrich, Glen Dumais, Russell Fields, Dennis Flanders, Donald Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Luther, Robert Spanos, Peter Tilton, Franklin Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Abbott, Michael Hunt, John McConnell, James Sad, Tara Tilton, Benjamin Ames, Richard Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Chase, Cynthia Ley, Douglas Pearson, William Sterling, Franklin Eaton, Daniel Mann, John Roberts, Kris Tatro, Bruce

COOS

Fothergill, John Rappaport, Laurence Tholl, John Froburg, Alethea Richardson, Herbert Hatch, William Rideout, Leon Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Brown, Rebecca Hennessey, Martha Johnson, Eric Piper, Wendy White, Andrew Almy, Susan Darrow, Stephen Higgins, Patricia Ladd, Rick Shackett, Jeffrey Bailey, Brad Gionet, Edmond Hull, Robert Maes, Kevin Smith, Suzanne Brown, Duane Hennessey, Erin Ingbretson, Paul Massimilla, Linda Townsend, Charles

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Boehm, Ralph Byron, Frank Cohen, Alan Donovan, Daniel Estevez, Eric Fromuth, Bart Gould, Linda Hansberry, Daniel Herbert, Christopher Infantine, William LeBrun, Donald Manley, Jonathan Moore, Josh O'Brien, Michael Ohm, Bill Peterson, Ken Roberts, Carol Scontsas, Lisa Simmons, Tammy Soucy, Timothy Sullivan, Daniel

Ammon, Keith Beaulieu, Jane Booras, Efstathia Christensen, Chris Cornell, Patricia Eastman, Eric Ferreira, Elizabeth Gagne, Larry Guerette, C. Lee Hansen, Peter Hinch, Richard Jack, Martin Leishman, Peter McCarthy, Peggy Murotake, David O'Brien, William Palmer, Barry Pierce, David Rouillard, Claire Seidel, Carl Smith, Gregory Souza, Kathleen Sullivan, Victoria Wolf, Terry

Backus, Robert Belanger, James Brown, Pamela Christie, Rick Danielson, David Edelblut, Frank Flanagan, Jack Gidge, Kenneth Haefner, Robert Harvey, Suzanne Hogan, Edith Jeudy, Jean Long, Patrick McClarren, Donald Murphy, Keith Ober, Lynne Parison, James Proulx, Mark Rowe, Robert Shattuck, Gilman Smith, Timothy Stepanek, Stephen Takesian, Charlene Zaricki, Nick

Balcom, John Biggie, Barbara Burt, John Coffey, James DiSilvestro, Linda Edwards, Elizabeth Freitas, Marv Goley, Jeffrey Halstead, Carolyn Heath, Mary Hopper, Gary Lachance, Joseph Mangipudi, Latha McLean, Mark Notter, Jeanine Ober, Russell Pellegrino, Anthony Rice, Kimberly Schleien, Eric Shaw, Barbara Snow, Kendall Straight, Phillip Ulery, Jordan

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Hoell, J.R. Kidder, David Luneau, David McGuire, Dan Patten, Dick Seaworth, Brian

Vann, Ivv

Bradley, Paula Ebel, Karen Henle, Paul Horn, Werner Kotowski, Frank Marple, Richard Moffett, Howard Ratzki, Mario Turcotte, Alan Brewster, Michael French, Barbara Hill, Gregory Karrick, David Kuch, Bill Martin, John Myler, Mel Rogers, Katherine Walsh, Thomas Carson, Clyde French, Harold Hirsch, Geoffrey Kenison, Linda Long, Douglas McGuire, Carol Parent, Jason Saunderson, George

ROCKINGHAM

Abrami, Patrick Abramson, Max Baldasaro, Alfred Barnes, Arthur Cardon, G. Thomas Chase, Francis Cook, Allen Cushing, Robert Devine, James DiFranco, Debbie Elliott, Robert Emerick, J. Tracy Francese, Paula Gannon, William Green, Dennis Griffin, Mary Harris, Jeffrey Heffron, Frank Introne, Robert Itse. Daniel Kolodziej, Walter Lovejoy, Patricia McMahon, Charles Milz, David Osborne, Jason Packard, Sherman Potucek, John Prudhomme-O'Brien, Katherine Sherman, Thomas Simpson, Alexis Sytek, John Tamburello, Daniel Tilton, Rio True, Chris Ward, Joanne Webb, James Woitkun, Steven

Allen, Mary Bates, David Chirichiello, Brian Dean-Bailey, Yvonne Doucette, Fred Ferrante, Beverly Gordon, Pamela Guthrie, Joseph Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Rice, Frederick Spillane, James Tasker, Kvle Tucker, Pamela

Azarian, Gary Cahill, Michael Christie, Andrew DeSimone, Debra Duarte, Joe Fesh, Robert Gordon, Richard Hagan, Joseph Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy O'Connor, John Peckham, Michele Schroadter, Adam Sweeney, Joe Thomas, Douglas Vose, Michael Weyler, Kenneth

STRAFFORD

Welch, David

Beaudoin, Steven Cilley, Jacalyn Gray, James Jones, Laura Pitre, Joseph Stevens, Audrey

Berube, Roger DeLemus, Susan Groen, Warren Kaczynski, Jr., Thomas Smith, Marjorie Turcotte, Leonard Bickford, David DiSesa, Len Hannon, Joseph Leeman, Don Southworth, Thomas Whitehouse, Joshua Bixby, Peter Graham, Robert Horrigan, Timothy Mullen, John Sprague, Dale

SULLIVAN

Cloutier, John Rollins, Skip Gottling, Suzanne Smith, Steven Grenier, James

Laware, Thomas

NAYS - 48 BELKNAP

Sylvia, Michael

CARROLL

Butler, Edward

Ticehurst, Susan

CHESHIRE

Berch, Paul Weber, Lucy Bordenet, John

Phillips, Larry

Robertson, Timothy

COOS

Thomas, Yvonne

GRAFTON

Cooney, Mary

Ford, Susan Nordgren, Sharon

HILLSBOROUGH

Cote, David Porter, Marjorie Gorman, Mary Rosenwald, Cindy Griffin, Barbara Williams, Kermit Kurk, Neal Woodbury, David

Sykes, George

MERRIMACK

Bartlett, Christy Schuett, Dianne Doherty, David Shurtleff, Stephen MacKay, James Wallner, Mary Jane

Rice, Chip

ROCKINGHAM

Berrien, Skip Ward, Gerald Borden, David

Cali-Pitts, Jacqueline

McBeath, Rebecca

STRAFFORD

Baber, William Treleaven, Susan Burton, Wayne Verschueren, James

Schmidt, Peter Wall, Janet

Spang, Judith Ward, Kenneth

Wuelper, Kurt

SULLIVAN

Converse, Larry

Gagnon, Raymond

Irwin, Virginia

O'Hearne, Andrew

Oxenham, Lee

Schmidt, Andrew and floor amendment (0493h) was adopted.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0481h).

Floor Amendment (0481h)

Amend the title of the bill by replacing it with the following:

requesting a modification of the New Hampshire health protection program and establishing an advisory commission relative to the use of health savings accounts for a certain population.

Amend the section heading and the amending language of section 12 of the bill by replacing them with the following:

12 New Sections: Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program; Health and Human Services Health Savings Account Advisory Commission. Amend RSA 126-A by inserting after section 126-A:5-d the following new sections:

Amend section 12 of the bill by inserting after RSA 126-A:5-e the following new section:

126-A:5-f Health and Human Services Health Savings Account Advisory Commission.

- I. There is established the health and human services health savings account advisory commission to advise the commissioner of the department of health and human services and the general court on the potential for use of health savings accounts for use by the population above 100 percent of the federal poverty level. The members of the commission shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
 - (c) The commissioner of the department of health and human services, or designee.
 - (d) One public member, appointed by the president of the senate.
 - (e) One public member, appointed by the speaker of the house of representatives.
 - (f) One public member, appointed by the governor.
- (g) A representative of a critical access hospital, nominated by the New Hampshire Hospital Association and appointed by governor and council.
- (h) A representative of a non-critical hospital that is not a member of the New Hampshire Hospital Association, nominated by joint agreement of the president of the senate and the speaker of the house of representatives and appointed by governor and council.
- (i) One member who is an executive director of a community mental health center, nominated by the New Hampshire Community Behavioral Health Association and appointed by governor and council.
- (j) A representative of the community health centers, nominated by the Bi-State Primary Care Association and appointed by the governor and council.
- (k) One member who is an executive director of an area agency, appointed by the governor
- II.(a) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner, or designee, and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

- (b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
 - III. The commission shall:
- (a) Study the potential for use of health savings accounts by the population above 100 percent of the federal poverty level.
- (b) Study the potential for use of catastrophic health coverage in combination with health savings accounts including options for federal funding or solely state funding.
- (c) Study other existing state plans utilizing health savings accounts such as the Healthy Indiana Plan, including the costs of the Healthy Indiana Plan and the estimated costs if a similar plan were implemented in New Hampshire, the number of people covered by the Healthy Indiana Plan compared to the number covered by Medicaid expansion, and how to modify the waiver received by Indiana so that a similar program could be implemented in New Hampshire.
 - (d) Study options for expansion of medical services cost transparency.
 - (e) Serve as a forum for a formal hearing and public comment.
- (f) Receive input from experts in health care with knowledge and/or experience in the implementation of health savings accounts and input from interested stakeholders.
- (g) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairperson, to assist with the research, analysis, or other work necessary to support its recommendations.
- IV. The department of health and human services shall provide administrative support to the commission and provide such information, data, testimony, and the assistance as requested by the commission.
- V. On or before October 1, 2016, the commission shall make a report of its findings and recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the commissioner of the department of health and human services, and the state library.

Amend the bill by replacing all after section 15 with the following:

- 16 Repeal. RSA 126-A:5-f, relative to the health and human services health savings account advisory commission, is repealed.
 - 17 Effective Date.
 - I. Section 2 of this act shall take effect July 1, 2017.
 - II. Section 15 of this act shall take effect December 1, 2017.
 - III. Section 16 of this act shall take effect October 1, 2016.
 - IV. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also establishes an advisory commission to advise the commissioner of the department of health and human services and the general court on the potential use of health savings accounts for the population above 100 percent of the federal poverty level.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 116 NAYS 215

YEAS - 116 BELKNAP

Aldrich, Glen Dumais, Russell Fraser, Valerie Howard, Jr., Raymond LeBreche, Shari Sylvia, Michael Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank Wright, Ted

CHESHIRE

Hunt, John Johnsen, Gladys McConnell, James

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Brown, Duane Johnson, Eric Gionet, Edmond Shackett, Jeffrey Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Boffey, James
Destevez, Eric
Gould, Linda
McLean, Mark
Notter, Jeanine
Peterson, Ken
Seidel, Carl
Stepanek, Stephen
Zaricki, Nick

Ammon, Keith Burt, John Donovan, Daniel Ferreira, Elizabeth Halstead, Carolyn Moore, Josh O'Brien, William Rice, Kimberly Simmons, Tammy Sullivan, Victoria Belanger, James Byron, Frank Eastman, Eric Fromuth, Bart Hansen, Peter Murotake, David Ohm, Bill Schleien, Eric Smith, Gregory Ulery, Jordan Biggie, Barbara Christie, Rick Edelblut, Frank Gagne, Larry Hogan, Edith Murphy, Keith Parison, James Scontsas, Lisa Souza, Kathleen Wolf, Terry

MERRIMACK

Brewster, Michael Kuch, Bill McGuire, Dan Hill, Gregory Marple, Richard Seaworth, Brian Hoell, J.R. Martin, John Horn, Werner McGuire, Carol

ROCKINGHAM

Abrami, Patrick Cook, Allen Ferrante, Beverly Harris, Jeffrey Kolodziej, Walter Schroadter, Adam Thomas, Douglas Weyler, Kenneth

Abramson, Max Dean-Bailey, Yvonne Gannon, William Hodgdon, Bruce Osborne, Jason Spillane, James True, Chris Baldasaro, Alfred Duarte, Joe Gordon, Richard Itse, Daniel Prudhomme-O'Brien, Katherine Sweeney, Joe Tucker. Pamela Bates, David Emerick, J. Tracy Green, Dennis Kappler, Lawrence Rice, Frederick Tamburello, Daniel

STRAFFORD

Beaudoin, Steven Hannon, Joseph Pitre, Joseph DeLemus, Susan Jones, Laura Turcotte, Leonard Graham, Robert Kaczynski, Jr., Thomas Whitehouse, Joshua Groen, Warren Leeman, Don

Vose, Michael

SULLIVAN

Laware, Thomas

NAYS - 215 BELKNAP

Fields, Dennis Tilton, Franklin Flanders, Donald

Gallagher, Brian

Spanos, Peter

CARROLL

Buco, Thomas Nelson, Bill Butler, Edward Schmidt, Stephen Chandler, Gene Ticehurst, Susan McConkey, Mark Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Ames, Richard Eaton, Daniel Berch, Paul Ley, Douglas Bordenet, John Mann, John Parkhurst, Henry Robertson, Timothy Tatro, Bruce Pearson, William Sad, Tara Tilton, Benjamin Phillips, Larry Shepardson, Marjorie Weber, Lucy Roberts, Kris Sterling, Franklin

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William Tholl, John

Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel, Richard Cooney, Mary Hennessey, Martha Massimilla, Linda Sykes, George Almy, Susan Darrow, Stephen Higgins, Patricia Nordgren, Sharon Townsend, Charles Bailey, Brad Ford, Susan Ladd, Rick Piper, Wendy White, Andrew

Brown, Rebecca Hennessey, Erin Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Cohen, Alan
Edwards, Elizabeth
Gonzalez, Carlos
Hansberry, Daniel
Hinch, Richard
Lachance, Joseph
Mangipudi, Latha
Pellegrino, Anthony
Roberts, Carol
Shattuck, Gilman
Soucy, Timothy
Vann, Ivy

Balcom, John Brown, Pamela Cornell, Patricia Freitas, Mary Griffin, Barbara Harvey, Suzanne Jack, Martin LeBrun, Donald Manley, Jonathan Pierce, David Rosenwald, Cindy Shaw, Barbara Straight, Phillip Williams, Kermit Baroody, Benjamin Christensen, Chris Cote, David Gidge, Kenneth Guerette, C. Lee Heath, Mary Jeudy, Jean Leishman, Peter McCarthy, Peggy Porter, Marjorie Rouillard, Claire Smith, Timothy Sullivan, Daniel Woodbury, David

Beaulieu, Jane Christiansen, Lars Danielson, David Goley, Jeffrey Haefner, Robert Herbert, Christopher Kurk, Neal Long, Patrick O'Brien, Michael Proulx, Mark Rowe, Robert Snow, Kendall Takesian, Charlene

MERRIMACK

Bartlett, Christy Doherty, David Henle, Paul Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

Carson, Clyde French, Barbara Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Deloge, Helen Gile, Mary Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne

ROCKINGHAM

Allen, Mary Borden, David Christie, Andrew DiFranco, Debbie Francese, Paula Hagan, Joseph Katsakiores, Phyllis McKinney, Betsy O'Connor, John Potucek, John Tilton, Rio Welch, David Azarian, Gary Cahill, Michael Cushing, Robert Doucette, Fred Gordon, Pamela Heffron, Frank Lovejoy, Patricia McMahon, Charles Packard, Sherman Sherman, Thomas Ward, Gerald

Barnes, Arthur Cardon, G. Thomas DeSimone, Debra Elliott, Robert Griffin, Mary Hoelzel, Kathleen Matthews, Carolyn Milz, David Pantelakos, Laura Simpson, Alexis Ward, Joanne Berrien, Skip Chase, Francis Devine, James Fesh, Robert Guthrie, Joseph Introne, Robert McBeath, Rebecca Nigrello, Robert Peckham, Michele Sytek, John Webb, James

STRAFFORD

Baber, William Burton, Wayne Berube, Roger DiSesa, Len Bickford, David Gray, James Bixby, Peter Horrigan, Timothy Mullen, JohnSchmidt, PeterSmith, MarjorieSouthworth, ThomasSpang, JudithSprague, DaleStevens, AudreyTreleaven, SusanVerschueren, JamesWall, JanetWard, KennethWuelper, Kurt

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

Schmidt, Andrew

and floor amendment (0481h) failed.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0487h).

Floor Amendment (0487h)

Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

- (c) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.
- (d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke in favor and yielded to questions.

Rep. Weber yielded to questions.

Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 179 NAYS 159

YEAS - 179

BELKNAP

Aldrich, Glen Gallagher, Brian Sylvia, Michael	Dumais, Russell Howard, Jr., Raymond Vadney, Herbert	Fields, Dennis LeBreche, Shari Varney, Peter	Fraser, Valerie Spanos, Peter
	CA	RROLL	
Avellani, Lino McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Glenn Parker, Harold
	CH	ESHIRE	
Hunt, John	McConnell, James	Roberts, Kris	Sterling, Franklin
	(coos	
Rappaport, Laurence	Rideout, Leon	Tholl, John	
	GR	AFTON	
Bailey, Brad Ingbretson, Paul	Brown, Duane Johnson, Eric	Gionet, Edmond Shackett, Jeffrey	Hull, Robert
	HILLS	BOROUGH	
Adams, Christopher Biggie, Barbara	Ammon, Keith Boehm, Ralph	Balcom, John Burt, John	Belanger, James Byron, Frank

Christensen, Chris	
Danielson, David	
Estevez, Eric	
Gagne, Larry	
Haefner, Robert	
Hogan, Edith	
LeBrun, Donald	
Moore, Josh	
O'Brien, William	
Peterson, Ken	
Rowe, Robert	
Simmons, Tammy	
Straight, Phillip	
Zaricki, Nick	

Christiansen, Lars
Donovan, Daniel
Ferreira, Elizabeth
Gonzalez, Carlos
Halstead, Carolyn
Hopper, Gary
McCarthy, Peggy
Murotake, David
Ober, Lynne
Pierce, David
Schleien, Eric
Smith, Gregory
Sullivan, Victoria
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Flanagan, Jack
Gould, Linda
Hansen, Peter
Kurk, Neal
McClarren, Donald
Murphy, Keith
Ohm, Bill
Proulx, Mark
Scontsas, Lisa
Souza, Kathleen

Christie, Rick

Eastman, Eric

Coffey, James
Edelblut, Frank
Fromuth, Bart
Griffin, Barbara
Hinch, Richard
Lachance, Joseph
McLean, Mark
Notter, Jeanine
Parison, James
Rouillard, Claire
Seidel, Carl
Stepanek, Stephen
Wolf, Terry

MERRIMACK

Brewster, Michael	Ebel, Karen
Hoell, J.R.	Horn, Werner
Marple, Richard	Martin, John
Seaworth, Brian	

French, Harold Kotowski, Frank McGuire, Carol

Ulery, Jordan

Hill, Gregory Kuch, Bill McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Christie, Andrew
Devine, James
Ferrante, Beverly
Griffin, Mary
Hoelzel, Kathleen
Katsakiores, Phyllis
Nigrello, Robert
Pantelakos, Laura
Rice, Frederick
Tamburello, Daniel
Tucker, Pamela
Welch, David
•

Abramson, Max Barnes, Arthur Cook, Allen Doucette, Fred Gannon, William Hagan, Joseph Introne, Robert Kolodziej, Walter O'Connor, John Peckham, Michele Schroadter, Adam Thomas, Douglas Vose, Michael Weyler, Kenneth Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Duarte, Joe
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Matthews, Carolyn
Osborne, Jason
Potucek, John
Spillane, James
Tilton, Rio
Ward, Joanne
Woitkun, Steven

Azarian, Gary
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Webb, James

STRAFFORD

Beaudoin, Stever
Groen, Warren
Leeman, Don

DeLemus, Susan Hannon, Joseph Mullen, John Graham, Robert Jones, Laura Pitre, Joseph Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

SULLIVAN

Laware, Thomas

Rollins, Skip

NAYS - 159 BELKNAP

Flanders, Donald

Luther, Robert

Tilton, Franklin

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy Tilton, Benjamin Ames, Richard Eaton, Daniel Parkhurst, Henry Sad, Tara Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William Shepardson, Marjorie

Bordenet, John Ley, Douglas Phillips, Larry Tatro, Bruce

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	
		GRAFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Williams, Kermit
Woodbury, David	·	•	

MERRIMACK

Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Cushing, Robert	DiFranco, Debbie
Elliott, Robert	Fesh, Robert	Francese, Paula	Gordon, Pamela
Guthrie, Joseph	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
McKinney, Betsy	Milz, David	Sherman, Thomas	Simpson, Alexis
Sytek, John	Ward, Gerald		

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	DiSesa, Len	Horrigan, Timothy	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and floor amendment (0487h) was adopted.

Wallner, Mary Jane

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0494h).

Floor Amendment (0494h)

Amend RSA 126-A:5, XXX as inserted by section 1 of the bill by deleting subparagraph (a)(6). Amend RSA 126-A:5, XXX(c) as inserted by section 1 of the bill by replacing it with the following:

- (c) No person, organization, department, or agency shall submit the name of any person to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a "mental defective" or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.
- (d) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

Reps. Hoell and Kotowski spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 193 NAYS 146

YEAS - 193

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
Varney, Peter			••
	(CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	
	C	HESHIRE	
Hunt, John	McConnell, James	Roberts, Kris	Sterling, Franklin
		COOS	
Rappaport, Laurence	Rideout, Leon		
	G	GRAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey	-	
		CROROTICIT	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Belanger, James
Boehm, Ralph	Burt, John	Byron, Frank
Christie, Rick	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gould, Linda	Griffin, Barbara	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hogan, Edith
Infantine, William	Kurk, Neal	Lachance, Joseph
McCarthy, Peggy	McClarren, Donald	McLean, Mark
Murotake, David	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ohm, Bill	Parison, James
Peterson, Ken	Pierce, David	Prouix, Mark
Roberts, Carol	Rouillard, Claire	Schleien, Eric
Seidel, Carl	Shaw, Barbara	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Takesian, Charlene	Ulery, Jordan	Zaricki, Nick
	Boehm, Ralph Christie, Rick Eastman, Eric Ferreira, Elizabeth Gould, Linda Hansen, Peter Infantine, William McCarthy, Peggy Murotake, David Ober, Lynne Peterson, Ken Roberts, Carol Seidel, Carl Souza, Kathleen	Boehm, Ralph Christie, Rick Coffey, James Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Gould, Linda Hansen, Peter Infantine, William McCarthy, Peggy Murotake, David Ober, Lynne Oher, Lynne Roberts, Carol Seidel, Carl Souza, Kathleen Bedelblut, Frank Fromuth, Bart Griffin, Barbara Hinch, Richard Hinch, Richard Kurk, Neal McClarren, Donald Murphy, Keith Ohm, Bill Peterson, Ken Pierce, David Rouillard, Claire Shaw, Barbara Stepanek, Stephen

Cornell, Patricia

Goley, Jeffrey

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Bradley, Paula Kuch, Bill Horn, Werner Kotowski, Frank Hoell, J.R. Marple, Richard Martin, John McGuire, Carol McGuire, Dan Walsh, Thomas Seaworth, Brian ROCKINGHAM Abrami, Patrick Abramson, Max Allen, Mary Azarian, Garv Cardon, G. Thomas Chase, Francis Baldasaro, Alfred Bates, David Christie, Andrew Cook, Allen Dean-Bailey, Yvonne Chirichiello, Brian Elliott, Robert DeSimone, Debra Devine, James Duarte, Joe Fesh. Robert Gannon, William Ferrante, Beverly Emerick, J. Tracv Griffin, Mary Guthrie, Joseph Gordon, Richard Green, Dennis Hoelzel, Kathleen Hagan, Joseph Harris, Jeffrey Hodgdon, Bruce Kappler, Lawrence Katsakiores, Phyllis Kołodziej, Walter Itse, Daniel McMahon, Charles Nigrello, Robert O'Connor, John Matthews, Carolyn Peckham, Michele Potucek, John Osborne, Jason Packard, Sherman Rice. Frederick Schroadter, Adam Spillane, James Prudhomme-O'Brien, Katherine Thomas, Douglas Sweeney, Joe Sytek, John Tamburello, Daniel Tilton, Rio True, Chris Tucker, Pamela Vose, Michael Webb, James Welch, David Weyler, Kenneth Ward, Joanne Woitkun, Steven STRAFFORD DeLemus, Susan Beaudoin, Steven Berube, Roger Bickford, David Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Pitre, Joseph Kaczynski, Jr., Thomas Leeman, Don Mullen, John Turcotte, Leonard Whitehouse, Joshua Wuelper, Kurt SULLIVAN Laware, Thomas Rollins, Skip Smith, Steven **NAYS - 146** BELKNAP Tilton, Franklin CARROLL Ticehurst, Susan Buco. Thomas Butler, Edward **CHESHIRE** Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Lev. Douglas Mann, John Pearson, William Phillips, Larry Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy COOS Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Thomas, Yvonne **GRAFTON** Abel, Richard Almy, Susan Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Smith, Suzanne White, Andrew Sykes, George Townsend, Charles HILLSBOROUGH Backus, Robert Baroody, Benjamin Beaulieu, Jane Booras, Efstathia

Christiansen, Lars

Freitas, Mary

Cohen, Alan

Gidge, Kenneth

Brown, Pamela

Cote. David

Gorman, Mary Herbert, Christopher	Hansberry, Daniel Jack, Martin	Harvey, Suzanne Jeudy, Jean	Heath, Mary Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
Porter, Marjorie	Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Vann, Ivy	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

ROCKINGHAM

Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Introne, Robert	Lovejoy, Patricia
McBeath, Rebecca	McKinney, Betsy	Milz, David	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	·

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gray, James	Horrigan, Timothy	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
*			

Schmidt, Andrew

and floor amendment (0494h) was adopted.

Rep. Cheney declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

(Rep. Packard in the Chair)

Reps. Edelblut and Dan McGuire spoke against.

Reps. Lachance and Kotowski spoke in favor and yielded to questions.

Rep. Fromuth spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **HB 1696-FN**, requesting a modification of the New Hampshire health protection program, be laid on the table.

Rep. Umberger requested a roll call; sufficiently seconded.

Rep. Spillane withdrew his motion.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

(Speaker Jasper in the Chair)

Rep. Joanne Ward spoke against.

Rep. Umberger spoke in favor and yielded to questions.

MOTION TO PRINT REMARKS

Rep. William O'Brien moved that the Parliamentary Inquiry made by Rep. Hoell and the answer by Speaker Jasper be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

REMARKS

Representative Hoell: Thank you, Mister Speaker. I guess this question is directed to you. We adopted three amendments; amendment numbers 493, 494 and 487. Would those be reordered because they all...

Speaker Jasper: They would be reordered, much as happens when we adopt the budget, so they will all be adopted sequentially.

Representative Hoell: Awesome, thank you.

Speaker Jasper: You are welcome.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Comeau spoke against.

Rep. Stephen Schmidt spoke in favor.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

YEAS 207 NAYS 136

YEAS - 207 BELKNAP

Fields, Dennis	Flanders, Donald	Luther, Robert	Tilton, Franklin
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		
	Cl	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Booras, Efstathia	Brown, Pamela	Christensen, Chris
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Jack, Martin	Jeudy, Jean	Lachance, Joseph
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	O'Brien, Michael	Pierce, David	Porter, Marjorie
Proulx, Mark	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June French, Barbara Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Kidder, David Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Chase, Francis Christie, Andrew Cushing, Robert DeSimone, Debra Devine, James DiFranco, Debbie Doucette, Fred Elliott, Robert Emerick, J. Tracy Fesh. Robert Francese, Paula Gordon, Pamela Griffin, Mary Guthrie, Joseph Heffron, Frank Hoelzel, Kathleen Katsakiores. Phyllis Lovejoy, Patricia Matthews, Carolyn McBeath, Rebecca McMahon, Charles Milz. David Nigrello, Robert O'Connor, John Pantelakos, Laura Sherman, Thomas Simpson, Alexis Sytek, John Ward, Gerald Welch, David Woitkun, Steven

STRAFFORD

Baber, William Bickford, David Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gray, James Horrigan, Timothy Kaen, Naida Mullen, John Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham. Lee Schmidt. Andrew Smith. Steven

NAYS - 136 BELKNAP

Aldrich, Glen Dumais, Russell Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Spanos, Peter Sylvia, Michael Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

Hunt, John McConnell, James

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Hull, Robert Ingbretson, Paul Johnson, Eric Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Byron, Frank Christiansen, Lars Christie, Rick Burt, John Coffey, James Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Flanagan, Jack Fromuth, Bart Ferreira, Elizabeth Griffin, Barbara Gagne, Larry Gould, Linda Haefner, Robert

Halstead, Carolyn	Hansen, Peter	Hogan, Edith	Hopper, Gary
Kurk, Neal	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Rice, Kimberly	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Illami, Jandan	Tandalid Albeit	• •	

Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
Duarte, Joe	Ferrante, Beverly	Gannon, William	Gordon, Richard
Green, Dennis	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter
McKinney, Betsy	Osborne, Jason	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sweeney, Joe	Tamburello, Daniel	Thomas, Douglas	Tilton, Rio
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Weyler, Kenneth		

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Finance. Rep. Cheney declared a conflict of interest and did not participate.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Rosenwald moved that the House reconsider its action whereby, on a roll call vote of 207-136, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

Rep. Rosenwald spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 120 NAYS 211

YEAS - 120

BELKNA	\]

Aldrich, Glen Dumais, Russell Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Spanos, Peter Sylvia, Michael Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric Smith. Suzanne

HILLSBOROUGH

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christie, Rick Coffey, James Donovan, Daniel Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gould, Linda Griffin, Barbara Hansen, Peter Infantine, William Kurk, Neal McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Russell Ohm, Bill Parison, James Pellegrino, Anthony Peterson, Ken Rice, Kimberly Rouillard, Claire Schleien, Eric Scontsas, Lisa Seidel, Carl Simmons, Tammy Smith, Gregory Souza, Kathleen Sullivan, Victoria

Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hoell, J.R. Horn, Werner Kuch, Bill Marple, Richard Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Baldasaro, Alfred Bates, David Dean-Bailey, Yvonne Chirichiello, Brian Cook, Allen Fesh, Robert Emerick, J. Tracv Ferrante, Beverly Gannon, William Gordon, Richard Harris, Jeffrey Hodadon, Bruce Green, Dennis Introne, Robert Itse. Daniel Kolodziej, Walter Kappler, Lawrence McKinney, Betsy Osborne, Jason Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Tilton, Rio True, Chris Vose, Michael Webb, James Tucker, Pamela Weyler, Kenneth

STRAFFORD

Beaudoin, Steven DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Pitre, Joseph Turcotte, Leonard

SULLIVAN

Rollins, Skip

NAYS - 211 BELKNAP

Fields, Dennis Flanders, Donald Luther, Robert Tilton, Franklin

CARROLL

Buco, Thomas Butler, Edward Chandler, Gene McConkey, Mark Nelson, Bill Parker, Harold Ticehurst, Susan Umberger, Karen Wright, Ted

CHESHIRE

Berch, Paul Abbott, Michael Ames, Richard Bordenet, John Eaton, Daniel Hunt, John Johnsen, Gladys Chase, Cynthia Ley, Douglas Mann, John Pearson, William Phillips, Larry Robertson, Timothy Sad. Tara Shepardson, Marjorie Roberts, Kris Tatro, Bruce Tilton, Benjamin Weber, Lucy Sterling, Franklin

COOS

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Theberge, Robert Thomas, Yvonne

GRAFTON

Brown, Rebecca Abel, Richard Almy, Susan Bailey, Brad Darrow, Stephen Ford, Susan Hennessey, Erin Cooney, Mary Higgins, Patricia Ladd. Rick Maes, Kevin Hennessey, Martha Massimilla, Linda Nordgren, Sharon Piper, Wendy Sykes, George Townsend, Charles

HILLSBOROUGH

Backus, Robert Balcom, John Booras, Efstathia Belanger, James Cohen, Alan Christiansen, Lars Danielson, David Freitas, Mary Golev, Jeffrey Gonzalez, Carlos Haefner, Robert Haistead, Carolyn Heath, Mary Herbert, Christopher Jack, Martin Jeudy, Jean Long, Patrick Mangipudi, Latha McClarren, Donald O'Brien, Michael Prouix, Mark Rosenwald, Cindy Shaw, Barbara Smith, Timothy Straight, Phillip Sullivan, Daniel Williams, Kermit Wolf, Terry

Baroody, Benjamin Brown, Pamela Cornell, Patricia Gagne, Larry Gorman, Mary Hansberry, Daniel Hinch, Richard Lachance, Joseph Manley, Jonathan Pierce, David Rowe, Robert Snow, Kendall Takesian, Charlene Woodbury, David Beaulieu, Jane Christensen, Chris Cote, David Gidge, Kenneth Guerette, C. Lee Harvey, Suzanne Hogan, Edith Leishman, Peter McCarthy, Peggy Porter, Marjorie Shattuck, Gilman Soucy, Timothy Vann, Ivy

MERRIMACK

Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne Carson, Clyde Frazer, June Hill, Gregory Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen Deloge, Helen French, Barbara Hirsch, Geoffrey Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan Doherty, David Gile, Mary Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary
Cali-Pitts, Jacqueline
DeSimone, Debra
Duarte, Joe
Griffin, Mary
Hoelzel, Kathleen
McBeath, Rebecca
Packard, Sherman
Simpson, Alexis
Ward, Joanne

Berrien, Skip Chase, Francis Devine, James Elliott, Robert Guthrie, Joseph Katsakiores, Phyllis Milz, David Pantelakos, Laura Sytek, John Welch, David Borden, David Christie, Andrew DiFranco, Debbie Francese, Paula Hagan, Joseph Lovejoy, Patricia Nigrello, Robert Potucek, John Thomas, Douglas Cahill, Michael Cushing, Robert Doucette, Fred Gordon, Pamela Heffron, Frank Matthews, Carolyn O'Connor, John Sherman, Thomas Ward, Gerald

STRAFFORD

Baber, William Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey Ward, Kenneth Berube, Roger Cilley, Jacalyn Kaen, Naida Southworth, Thomas Treleaven, Susan Wuelper, Kurt Bickford, David DiSesa, Len Mullen, John Spang, Judith Verschueren, James Bixby, Peter Gray, James Schmidt, Peter Sprague, Dale Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Oxenham, Lee Converse, Larry Irwin, Virginia Schmidt, Andrew Gagnon, Raymond Laware, Thomas Smith, Steven Gottling, Suzanne O'Hearne, Andrew

and the motion failed.

Rep. Cheney declared a conflict of interest and did not participate.

REGULAR CALENDAR CONT'D

HB 1560-FN, relative to abortion procedures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda Kenison for the Majority of Judiciary. This bill seeks to add a new section to New Hampshire RSA 132 (Protection for Maternity and Infancy) which would prohibit the most common method of second-trimester pre-viability abortion to the ten percent (10%) of women who make a difficult decision to terminate their pregnancy. The medical term for this safe procedure is called non-intact D&E (Dilation and Evacuation). Across the country, this procedure is performed on the ten percent of women, ninety-five percent (95%) of the time. Other jurisdictions, as recently as January 22, 2016, have held nearly identical statutory language which banned this very type of D&E, likely unconstitutional, Nauser v. Kansas, Court of Appeals of the State of Kansas (2016). The appellate court refused to overrule the lower court's injunction which kept the law from taking effect, reasoning that the statute violated the Kansas Constitution's Bill of Rights and the United States Constitution's 14th Amendment. Similarly, the United States Supreme Court determined this to be a safe alternative to the Partial-Birth Abortion Ban Act of 2003 (a federal statute regulating abortion procedures.) Gonzales v. Carhart, 550 US 127 (2007). The Gonzales case also recognized long-standing law which prohibits an undue interference for the state on a woman's right to terminate their pregnancy prior to viability. Roe v. Wade, 410 US 113 (1973). This bill, if passed, will likely force New Hampshire into costly and unnecessary litigation. In addition to the constitutional issues, the bill's language is discriminatory and disregards the individual rights of women New Hampshire citizens. The bill allows a court to determine whether the identity of the women should be disclosed in "every civil criminal, or administrative proceeding," regardless of her consent to such disclosure. It further allows only a "married" father of the unborn to bring an action for civil damages, yet does not provide the right to an unmarried father or same-sex spouse. This bill also criminalizes health care providers for practicing medicine in a manner they determine is medically sound and is in the best interest of their patients. This bill imposes criminal penalties, including a class A felony for physicians and other medical providers who perform this procedure. We are trusted with the responsibility to pass laws for all the citizens of New Hampshire. This bill, as worded, falls short of our responsibility and violates the laws of the State of New Hampshire and United States Constitution. Vote 9-7.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes the dismemberment abortion procedure known as Dilation and Evacuation [D&E] is so monstrous it should be illegal. No baby should ever be subjected to being physically torn limb-from-limb, which is precisely what the D&E does. Our constitution forbids "cruel and unusual" punishment for crimes. We apply this principle even to those who have committed crimes so serious they have received the death penalty. We believe the pre-born child, having committed no crime, deserves similar mercy. Even more, our State should do all it can to protect every baby from such a torturous procedure. We believe the Supreme Court would follow the same logic it used to uphold the Partial Birth Abortion ban and uphold the D&E ban.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Souza spoke against.

(Rep. Packard in the Chair)

Reps. Itse, Wuelper and Frank McCarthy spoke against.

Rep. Kenison spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 163 NAYS 136

YEAS - 163 BELKNAP

Fields, Dennis Fraser, Valerie

Vadney, Herbert

CARROLL

Butler, Edward Ticehurst, Susan Umberger, Karen Wright, Ted CHESHIRE Berch, Paul Bordenet, John Abbott, Michael Ames, Richard Chase, Cynthia Eaton, Daniel Johnsen, Gladys Lev. Douglas Mann, John McConnell, James Pearson, William Phillips, Larry Roberts, Kris Robertson, Timothy Sad, Tara Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Weber, Lucy COOS Moynihan, Wayne Froburg, Alethea Hatch, William Theberge, Robert Thomas, Yvonne GRAFTON Abel, Richard Almy, Susan Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Erin Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Townsend, Charles Smith, Suzanne Sykes, George HILLSBOROUGH Brown, Pamela Backus, Robert Beaulieu, Jane Byron, Frank Cohen, Alan Christensen, Chris Christiansen, Lars Cornell, Patricia Cote, David Edwards, Elizabeth Freitas, Mary Gidge, Kenneth Goley, Jeffrey Guerette, C. Lee Harvey, Suzanne Gorman, Mary Heath, Mary Herbert, Christopher Jack, Martin Kurk, Neal Leishman, Peter Mangipudi, Latha Manley, Jonathan O'Brien, Michael Porter, Marjorie Proulx, Mark Rosenwald, Cindy Rouillard, Claire Rowe, Robert Schleien, Eric Scontsas, Lisa Shattuck, Gilman Shaw, Barbara Smith, Timothy Snow, Kendall Smith, Gregory Sullivan, Daniel Takesian, Charlene Williams, Kermit Wolf, Terry Woodbury, David Zaricki, Nick MERRIMACK Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen French, Barbara Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Martin, John Marple, Richard Moffett, Howard Myler, Mel Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Seaworth, Brian Shurtleff, Stephen Wallner, Mary Jane ROCKINGHAM Abrami, Patrick Azarian, Gary Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Chase, Francis Cushing, Robert DiFranco, Debbie Doucette, Fred Ferrante, Beverly Gordon, Pamela Heffron, Frank Griffin, Mary Guthrie, Joseph Loveiov, Patricia Milz, David McBeath, Rebecca Potucek, John Pantelakos, Laura Rice. Frederick Simpson, Alexis Sweeney, Joe Ward, Gerald

STRAFFORD

Baber, William Bickford, David DiSesa, Len Horrigan, Timothy Smith, Marjorie Southworth, Thomas Stevens, Audrey Treleaven, Susan Ward, Kenneth

Bixby, Peter Kaen, Naida Spang, Judith Verschueren, James Burton, Wayne Schmidt, Peter Sprague, Dale Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Smith, Steven

NAYS - 136 BELKNAP

Aldrich, Glen Dumais, Russell Flanders, Donald Gallagher, Brian Howard, Jr., Raymond LeBreche, Shari Luther, Robert Spanos, Peter Tilton, Franklin

CARROLL

Avellani, Lino Buco, Thomas Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Schmidt, Stephen

COOS

Fothergill, John Rappaport, Laurence Rideout, Leon Tholl, John

GRAFTON

 Bailey, Brad
 Brown, Duane
 Darrow, Stephen
 Gionet, Edmond

 Hull, Robert
 Ingbretson, Paul
 Johnson, Eric
 Ladd, Rick

HILLSBOROUGH

Adams, Christopher Ammon, Keith Baroody, Benjamin Belanger, James Biggie, Barbara Boehm, Ralph Burt, John Christie, Rick Coffey, James Danielson, David Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Fromuth, Bart Gonzalez, Carlos Gagne, Larry Gould, Linda Griffin, Barbara Haefner, Robert Halstead, Carolyn Hansen, Peter Infantine, William Hinch, Richard Hogan, Edith Jeudy, Jean Lachance, Joseph McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Ohm, Bill Parison, James Pellegrino, Anthony Pierce, David Simmons, Tammy Souza, Kathleen Rice, Kimberly Seidel, Carl Straight, Phillip Sullivan, Victoria Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner McGuire, Carol McGuire, Dan Walsh, Thomas

ROCKINGHAM

Baldasaro, Alfred Bates, David Abramson, Max Allen, Mary Christie, Andrew Dean-Bailey, Yvonne Chirichiello, Brian Cook, Allen DeSimone, Debra Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracy Fesh, Robert Gannon, William Gordon, Richard Green, Dennis Hagan, Joseph Harris, Jeffrey Hodgdon, Bruce Kappler, Lawrence Hoelzel, Kathleen Introne, Robert Itse, Daniel Kolodziej, Walter Matthews, Carolyn Nigrello, Robert O'Connor, John Spillane, James Sytek, John Thomas, Douglas Prudhomme-O'Brien, Katherine Tucker, Pamela Vose, Michael Tilton, Rio True, Chris Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

 Beaudoin, Steven
 Berube, Roger
 Cheney, Catherine
 DeLemus, Susan

 Graham, Robert
 Gray, James
 Groen, Warren
 Kaczynski, Jr., Thomas

 Leeman, Don
 Mullen, John
 Pitre, Joseph
 Turcotte, Leonard

SULLIVAN

Gagnon, Raymond Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

Wuelper, Kurt

HB 1627-FN, relative to the protection of infants born alive. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Paul Berch for the Majority of Judiciary. There are existing laws, both federal and state, that extend protections to infants born alive. This bill seeks to go beyond these laws to allow criminal prosecutions of doctors who are believed to have exceeded vague concepts relating to evidence of life, medically necessary or reasonable care, without defining these terms. A bipartisan majority of the committee felt this bill impermissibly interferes with medical professionals trying to provide the best medical care that they can. This legislation would require doctors to employ extraordinary resuscitation measures for pre-viable fetuses who are born as a result of early (pre-term) labor or abortion - even where there is no chance of viability or ultimate survival. The requirements of this bill deviate from the medical standard of care and interfere with the ability of physicians to work during a time of pregnancy loss or termination. New Hampshire currently has some of the lowest abortion rates and the best maternal health outcomes in the country, yet we heard testimony that this legislation would threaten the state's top neonatologists and fetal medicine specialists with prosecution and subject doctors and families to an invasive level of government interference. Vote 9-7. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that every baby born alive deserves nourishment and "medically appropriate and reasonable" care, even if that baby is born alive accidentally after an abortion procedure. Further, it is the role of the legislature to define crimes and establish penalties for crimes. This bill is similar to the Federal Born Alive Protection Act and requires any such baby receive such care and makes failure to provide that care a crime. With criminal cases from other states documenting that hundreds of these babies have been killed (or allowed to die with no care given), we believe our state needs to clearly identify such wanton disregard for living babies a serious crime.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Wuelper spoke against and yielded to questions.

(Speaker Jasper in the Chair)

Rep. Groen spoke against.

Rep. Berch spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 167 NAYS 116

YEAS - 167 BELKNAP

	_		
Fields, Dennis	Flanders, Donald	Vadney, Herbert	
	C	ARROLL	
Buco, Thomas Umberger, Karen	Butler, Edward Wright, Ted	McConkey, Mark	Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Sterling, Franklin	Ames, Richard Eaton, Daniel McConnell, James Robertson, Timothy Tatro, Bruce	Berch, Paul Johnsen, Gladys Pearson, William Sad, Tara Weber, Lucy	Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie
		COOS	
Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne Thomas, Yvonne	Rappaport, Laurence
	G	RAFTON	
Abel, Richard Ford, Susan Maes, Kevin Smith, Suzanne	Almy, Susan Hennessey, Erin Massimilla, Linda Sykes, George	Brown, Rebecca Hennessey, Martha Nordgren, Sharon Townsend, Charles	Cooney, Mary Higgins, Patricia Piper, Wendy

	HILLS	BOROUGH	
Adams, Christopher Brown, Pamela Cornell, Patricia Gorman, Mary Heath, Mary Jeudy, Jean Mangipudi, Latha Proulx, Mark Schleien, Eric Smith, Timothy Williams, Kermit	Baroody, Benjamin Byron, Frank Cote, David Haefner, Robert Herbert, Christopher Kurk, Neal Manley, Jonathan Rosenwald, Cindy Shattuck, Gilman Snow, Kendall Wolf, Terry	Beaulieu, Jane Christensen, Chris Freitas, Mary Halstead, Carolyn Hinch, Richard Lachance, Joseph O'Brien, Michael Rouillard, Claire Shaw, Barbara Sullivan, Daniel Woodbury, David	Belanger, James Cohen, Alan Goley, Jeffrey Harvey, Suzanne Jack, Martin Leishman, Peter Porter, Marjorie Rowe, Robert Smith, Gregory Takesian, Charlene Zaricki, Nick
	MER	RIMACK	
Bradley, Paula Ebel, Karen Hirsch, Geoffrey Luneau, David Ratzki, Mario Schuett, Dianne	Carson, Clyde French, Barbara Karrick, David MacKay, James Rice, Chip Shurtleff, Stephen	Deloge, Helen Gile, Mary Kenison, Linda Moffett, Howard Rogers, Katherine Wallner, Mary Jane	Doherty, David Henle, Paul Kotowski, Frank Myler, Mel Saunderson, George
	ROCK	INGHAM	
Abrami, Patrick Cahill, Michael Cushing, Robert Gordon, Pamela Hoelzel, Kathleen Nigrello, Robert Ward, Joanne	Azarian, Gary Cali-Pitts, Jacqueline DiFranco, Debbie Griffin, Mary Lovejoy, Patricia Pantelakos, Laura Webb, James	Berrien, Skip Chase, Francis Doucette, Fred Guthrie, Joseph McBeath, Rebecca Simpson, Alexis	Borden, David Christie, Andrew Ferrante, Beverly Heffron, Frank Milz, David Ward, Gerald
	STR	AFFORD	
Baber, William DiSesa, Len Smith, Marjorie Stevens, Audrey Ward, Kenneth	Bickford, David Horrigan, Timothy Southworth, Thomas Treleaven, Susan	Bixby, Peter Kaen, Naida Spang, Judith Verschueren, James	Burton, Wayne Schmidt, Peter Sprague, Dale Wall, Janet
	SUI	LLIVAN	
Cloutier, John Irwin, Virginia	Converse, Larry O'Hearne, Andrew	Gottling, Suzanne Oxenham, Lee	Grenier, James
	NA	YS - 116	
	BE	LKNAP	
Aldrich, Glen LeBreche, Shari	Fraser, Valerie Luther, Robert	Gallagher, Brian Spanos, Peter	Howard, Jr., Raymond Tilton, Franklin
	CA	RROLL	
Avellani, Lino Nelson, Bill	Comeau, Ed Schmidt, Stephen	Cordelli, Glenn	McCarthy, Frank
	(coos	
Fothergill, John	Rideout, Leon		
	GR	AFTON	
Bailey, Brad Hull, Robert	Brown, Duane Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Gionet, Edmond Ladd, Rick

HILLSBOROUGH

Balcom, John	Biggie, Barbara	Boehm, Ralph	Burt, John
Christie, Rick	Coffey, James	Eastman, Eric	Edelblut, Frank
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Griffin, Barbara	Hogan, Edith	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Pellegrino, Anthony
Pierce, David	Rice, Kimberly	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Straight, Phillip	Sullivan, Victoria
Ulery, Jordan		- '	

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Horn, Werner
Martin, John	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chirichiello, Brian	Cook, Allen	DeSimone, Debra	Devine, James
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Gannon, William	Gordon, Richard	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Matthews, Carolyn	O'Connor, John	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sweeney, Joe	Sytek, John	Thomas, Douglas	Tilton, Rio
True, Chris	Tucker, Pamela	Vose, Michael	Welch, David
Weyler, Kenneth			

STRAFFORD

Beaudoin, Steven	Berube, Roger	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Gray, James	Groen, Warren	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Wuelper, Kurt			

SULLIVAN

ı	awara	Thomas	Rollins.	Skin

and the majority committee report was adopted.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 1352-FN**, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees and **HB 1604-FN-A-L**, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, February 11, 2016 at 9:00 a.m.

LATE SESSION

Third Reading and Final Passage

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

HB 1604-FN-A-L, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 6:25 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 7

Thursday, February 11, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O Lord our Governor, bless the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth. To the President and members of the Cabinet, to Governors of States, Mayors of Cities, and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To Senators and Representatives, and those who make our laws in States, Cities, and Towns, give courage, wisdom, and foresight to provide for the needs of all our people, and to fulfill our obligations in the community of nations. To the Judges and Officers of our Courts, give understanding and integrity, that human rights may be safeguarded and justice served. And finally, teach our people to rely on Your strength and to accept their responsibilities to their fellow citizens, that they may elect trustworthy leaders and make wise decisions for the well-being of our society; that we may serve You faithfully in our generation and honor Your Holy name. Amen.

Representative Ladd, member from Haverhill, led the Pledge of Allegiance.

The member from Windham, Representative Mary Griffin, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Alicea, Ronald Belanger, Chris Brown, Comtois, Crawford, Dean-Bailey, Duarte, Emerson, Forest, Froburg, Gardner, Gargasz, Gladys Johnsen, Kellogg, Knowles, Marston, Murotake, Priestley, Sanders, Simmons, Twombly, Vose, Robert Walsh and Wheeler, the day, illness.

Reps. Barry, Bouldin, Duane Brown, Rebecca Brown, Bush, DiFranco, Donovan, Fisher, Friel, Goulette, Barbara Griffin, Halstead, Hess, Hurt, Kolodziej, Lovejoy, Luneau, O'Hearne, O'Neil, Oligny, Piper, Russell, Sanborn, Schroadter, Scontsas, Timothy Smith, Spillane, Tamburello and Varney, the day, important business.

INTRODUCTION OF GUESTS

Joel Weinrebe, guest of Rep. LeBreche. Mark and Daniel Tran, guests of Rep. Bates.

MOTION TO SPECIAL ORDER

Rep. Bates moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be made a Special Order as the first order of business. Motion adopted.

SPECIAL ORDER

HB 1130, requiring school districts to permit placement of a memorial honoring those who have died during military service. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. This bill as amended gives the school district the authority to permit a placement of a memorial honoring an alumnus who was killed while in the military serving our country. There is no cost to the state or any municipality for the design, manufacturing, installation or maintenance of the memorial. The decision to place the memorial must be agreeable to the school board of the school that the military person has attended. Vote 7-4.

Rep. Robert Theberge for the Minority of State-Federal Relations and Veterans Affairs. This bill requires school districts to permit placement of a memorial honoring those who died during military service. The amendment still mandates school districts to permit the placement of memorials. The legislature has a long-stated belief in using local control at the local level and not mandating actions. To date, there has never been any school district within the state which has denied the placement of memorials honoring veterans. School districts have always worked with veteran organizations and non-profits for the placement of such memorial.

Majority Amendment (0406h)

Amend RSA 189:18-a as inserted by section 1 by replacing it with the following:

189:18-a Memorials on School Property. Each school district shall permit the placement of a memorial plaque in a suitable location, or other memorial as agreeable to the school board, at a district high school in honor of an alumnus of a junior high school or high school in the district who died during military service, provided that the cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state or any municipality.

Rep. Theberge spoke against.

Rep. Baldasaro spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Heffron moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 92 NAYS 211

YEAS - 92 BELKNAP

Sylvia, Michael

CARROLL

CHESHIRE

Butler, Edward McConkey, Mark

Ticehurst, Susan

Abbott, Michael Ames, Richard
Chase, Cynthia Ley, Douglas
Phillips, Larry Robertson, Timothy
Weber, Lucy

Berch, Paul Mann, John Sad, Tara Bordenet, John Parkhurst, Henry Shepardson, Marjorie

COOS

Moynihan, Wayne

Theberge, Robert

GRAFTON

Almy, Susan Higgins, Patricia Cooney, Mary Maes, Kevin Ford, Susan Nordgren, Sharon Hennessey, Martha Sykes, George

HILLSBOROUGH

Ammon, Keith Cohen, Alan Hansen, Peter Ober, Russell Rosenwald, Cindy Williams, Kermit Backus, Robert Goley, Jeffrey Long, Patrick Palmer, Barry Shattuck, Gilman

Booras, Efstathia Gorman, Mary O'Brien, Michael Porter, Marjorie Smith, Gregory Brown, Pamela Hansberry, Daniel Ober, Lynne Roberts, Carol Takesian, Charlene

MERRIMACK

Bartlett, Christy Frazer, June Kidder, David Saunderson, George

Carson, Clyde French, Barbara McGuire, Carol Schuett, Dianne Deloge, Helen Gile, Mary Moffett, Howard Shurtleff, Stephen Doherty, David Hirsch, Geoffrey Ratzki, Mario

ROCKINGHAM

Allen, Mary Cali-Pitts, Jacqueline Kappler, Lawrence Tucker, Pamela Barnes, Arthur Cushing, Robert McBeath, Rebecca Ward, Gerald Berrien, Skip Gordon, Pamela Rice, Frederick Borden, David Heffron, Frank Sherman, Thomas

	ST	RAFFORD	
Baber, William	Bickford, David	Bixby, Peter	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Southworth, Thomas	Spang, Judith
Verschueren, James	Wall, Janet	Ward, Kenneth	Wuelper, Kurt
	st	JLLIVAN	
Cloutier, John	Gagnon, Raymond	Schmidt, Andrew	
	N	AYS - 211	
	B	ELKNAP	
Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	LeBreche, Shari	Luther, Robert
Spanos, Peter	Tilton, Franklin	Vadney, Herbert	
	C	ARROLL	
Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	
	CI	HESHIRE	
Eaton, Daniel	Hunt, John	McConnell, James	Pearson, William
Roberts, Kris	Sterling, Franklin	Tatro, Bruce	·
		COOS	
Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			
	C	DATTON	

GRAFTON

Abel, Richard	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Massimilla, Linda	Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

	*****	DDONOCGII	
Adams, Christopher	Balcom, John	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christie, Rick	Coffey, James	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary
Fromuth, Bart	Gagne, Larry	Gould, Linda	Haefner, Robert
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Hogan, Edith
Hopper, Gary	Jack, Martin	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Mangipudi, Latha	Manley, Jonathan	Martel, Andre
McCarthy, Peggy	McLean, Mark	McNamara, Richard	Moore, Josh
Notter, Jeanine	Ohm, Bill	Parison, James	Pellegrino, Anthony
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Sullivan, Victoria	Ulery, Jordan	Wolf, Terry	Woodbury, David

MERRIMACK

Bradley, Paula	Brewster, Michael	Ebel, Karen	French, Harold
Hill, Gregory	Hoell, J.R.	Horn, Werner	Karrick, David
Kenison, Linda	Kotowski, Frank	Kuch, Bill	Long, Douglas
MacKay, James	Marple, Richard	Martin, John	McGuire, Dan
Myler, Mel	Patten, Dick	Rice, Chip	Rogers, Katherine
Seaworth, Brian	Turcotte, Alan	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Cahill, Michael	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	DeSimone, Debra
Devine, James	Doucette, Fred	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Gannon, William
Gordon, Richard	Green, Dennis	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Katsakiores, Phyllis	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	Milz, David	Nigrello, Robert
O'Connor, John	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Simpson, Alexis
Tasker, Kyle	Thomas, Douglas	Tilton, Rio	True, Chris
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			

STRAFFORD

Beaudoin, Steven	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	DiSesa, Len	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas	Leeman, Don
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard			

SULLIVAN

Converse, Larry	Gottling, Suzanne	Grenier, James	Laware, Thomas
Oxenham, Lee	Rollins, Skip	Smith, Steven	

and the motion failed.

White, Andrew

The question now being adoption of majority committee amendment (0406h).

Rep. Robertson spoke against and yielded to questions.

Rep. Bates spoke in favor and requested a roll call; sufficiently seconded.

YEAS 181 NAYS 127

YEAS - 181 BELKNAP

	27.	W-44-11-14	
Aldrich, Glen LeBreche, Shari Vadney, Herbert	Dumais, Russell Luther, Robert	Fields, Dennis Spanos, Peter	Gallagher, Brian Tilton, Franklin
	CA	ARROLL	
Avellani, Lino Cordelli, Glenn Schmidt, Stephen	Buco, Thomas McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Parker, Harold
	CH	HESHIRE	
Bordenet, John Roberts, Kris Weber, Lucy	Hunt, John Shepardson, Marjorie	McConnell, James Sterling, Franklin	Pearson, William Tatro, Bruce
,		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Abel, Richard Hennessey, Erin Johnson, Eric	Almy, Susan Higgins, Patricia Ladd, Rick	Darrow, Stephen Hull, Robert Massimilla, Linda	Gionet, Edmond Ingbretson, Paul Shackett, Jeffrey

HILLSBOROUGH Boehm, Ralph Adams, Christopher Balcom, John Biggie, Barbara Byron, Frank Christensen, Chris Christiansen, Lars Christie, Rick Coffey, James Cohen, Alan Cote, David Danielson, David Fromuth, Bart Gagne, Larry Estevez, Eric Flanagan, Jack Gould, Linda Haefner, Robert Hansen, Peter Hinch, Richard Hopper, Gary Lachance, Joseph LeBrun, Donald Hogan, Edith Martel, Andre Mangipudi, Latha McCarthy, Peggy McLean, Mark McNamara, Richard Notter, Jeanine Ohm, Bill Moore, Josh Parison, James Pellegrino, Anthony Proulx, Mark Rice, Kimberly Roberts, Carol Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Shaw, Barbara Snow, Kendall Smith, Gregory Straight, Phillip Sullivan, Victoria Ulery, Jordan Williams, Kermit Wolf, Terry MERRIMACK Bartlett, Christy Brewster, Michael Carson, Clyde Doherty, David French, Harold Hill, Gregory Hirsch, Geoffrey Hoell, J.R. Kotowski, Frank Horn, Werner Kuch, Bill Martin, John McGuire, Dan Rogers, Katherine Schuett. Dianne Seaworth, Brian Walsh, Thomas ROCKINGHAM Abrami, Patrick Abramson, Max Allen, Mary Azarian, Gary Baldasaro, Alfred Bates, David Cahill, Michael Chase, Francis Chirichiello, Brian Christie, Andrew Cook, Allen Devine, James Doucette, Fred Elliott, Robert Ferrante, Beverly Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Hagan, Joseph Hodgdon, Bruce Hoelzel, Kathleen Itse, Daniel Katsakiores, Phyllis Major, Norman Manning, John Matthews, Carolyn Milz, David McKinney, Betsy

Nigrello, Robert Peckham, Michele Thomas, Douglas Webb, James

O'Connor, John Potucek, John Tilton, Rio Welch, David

Osborne, Jason Prudhomme-O'Brien, Katherine Tucker, Pamela Weyler, Kenneth

DeSimone, Debra Emerick, J. Tracy Packard, Sherman Tasker, Kyle Ward, Joanne Woitkun, Steven

STRAFFORD

Beaudoin, Steven DeLemus, Susan Kaczvnski, Jr., Thomas Stevens, Audrey

Bixby, Peter DiSesa, Len Leeman, Don Turcotte, Leonard

Burton, Wavne Graham, Robert Pitre, Joseph Wuelper, Kurt

Cheney, Catherine Groen, Warren Rollo, Deanna

SULLIVAN

Gagnon, Raymond Smith, Steven

Flanders, Donald

Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 127

BELKNAP

Fraser, Valerie Sylvia, Michael

CARROLL

Butler, Edward Nelson, Bill Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Chase, Cynthia Eaton, Daniel Lev. Douglas Mann, John Parkhurst, Henry Phillips, Larry Robertson, Timothy Sad. Tara Tilton, Benjamin

COOS

Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Cooney, Mary Ford, Susan Hennessey, Martha Maes, Kevin Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Ammon, Keith Backus, Robert Beaulieu, Jane Belanger, James Booras, Efstathia Brown, Pamela Burt, John Cornell, Patricia DiSilvestro, Linda Edelblut, Frank Ferreira, Elizabeth Freitas, Mary Goley, Jeffrey Gorman, Mary Hansberry, Daniel Harvey, Suzanne Heath, Mary Jack, Martin Kurk, Neal Leishman, Peter O'Brien, Michael Long, Patrick Manley, Jonathan Ober, Lynne Palmer, Barry Pierce, David Porter, Marjorie Ober, Russell Shattuck, Gilman Soucy, Timothy Sullivan, Daniel Rosenwald, Cindy Takesian, Charlene Woodbury, David

MERRIMACK

Ebel, Karen Bradley, Paula Deloge, Helen Frazer, June French, Barbara Karrick, David Kenison, Linda Gile, Mary Kidder, David Long, Douglas MacKay, James Marple, Richard McGuire, Carol Moffett, Howard Myler, Mel Patten, Dick Saunderson, George Shurtleff, Stephen Ratzki, Mario Rice, Chip Turcotte, Alan

ROCKINGHAM

Barnes, Arthur Berrien, Skip Borden, David Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert Fesh, Robert Francese, Paula Heffron, Frank Introne, Robert Gordon, Pamela Harris, Jeffrey McBeath, Rebecca Pantelakos, Laura Rice, Frederick Kappler, Lawrence Sherman, Thomas Simpson, Alexis True. Chris Ward, Gerald

STRAFFORD

Baber, William Bickford, David Cilley, Jacalyn Grav, James Hannon, Joseph Horrigan, Timothy Jones, Laura Kaen, Naida Mullen, John Schmidt, Peter Smith, Marjorie Southworth, Thomas Sprague, Dale Treleaven, Susan Verschueren, James Spang, Judith Ward, Kenneth Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Oxenham, Lee

Schmidt, Andrew

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 192 NAYS 117

YEAS - 192

BELKNAP

Aldrich, Glen Dumais, Russell Fields, Dennis Flanders, Donald Gallagher, Brian LeBreche, Shari Luther, Robert Spanos, Peter Tilton, Franklin Vadney, Herbert

CARROLL

Avellani, Lino Buco, Thomas Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Ames, Richard Chase, Cynthia Hunt, John Ley, Douglas
McConnell, James Pearson, William Roberts, Kris Shepardson, Marjorie
Sterling, Franklin Tilton, Benjamin

COOS

Fothergill, John Rappaport, Laurence Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Almy, Susan Darrow, Stephen Gionet, Edmond Hennessey, Erin Ingbretson, Paul Johnson, Eric Ladd, Rick Massimilla, Linda Shackett, Jeffrey White, Andrew

HILLSBOROUGH

Balcom, John Adams, Christopher Biggie, Barbara Boehm, Ralph Brown, Pamela Byron, Frank Christensen, Chris Christiansen, Lars Christie, Rick Coffey, James Cohen, Alan Cornell, Patricia Cote, David Danielson, David Estevez, Eric Flanagan, Jack Fromuth, Bart Gagne, Larry Gould, Linda Haefner, Robert Hansberry, Daniel Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Lachance, Joseph LeBrun, Donald Mangipudi, Latha Martel, Andre McLean, Mark McNamara, Richard Moore, Josh Notter, Jeanine Ohm, Bill Parison, James Pellearino, Anthony Prouix, Mark Rice, Kimberly Roberts, Carol Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Shaw, Barbara Smith, Gregory Snow, Kendall Soucy, Timothy Straight, Phillip Sullivan, Daniel Sullivan, Victoria Ulery, Jordan Williams, Kermit

MERRIMACK

Bartlett, Christy

Brewster, Michael

Hill, Gregory

Hirsch, Geoffrey

Kotowski, Frank

Long, Douglas

Patten, Dick

Brewster, Michael

Carson, Clyde

Hoell, J.R.

Horn, Werner

McGuire, Dan

McGuire, Dan

Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Azarian, Gary Baldasaro, Alfred Bates, David Berrien, Skip Borden, David Cahill, Michael Cardon, G. Thomas Chase, Francis Chirichiello, Brian Christie, Andrew Cook, Allen DeSimone, Debra Devine, James Doucette, Fred Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Fesh. Robert Francese, Paula Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Hagan, Joseph Hodgdon, Bruce Hoeizel, Kathleen Introne, Robert Itse, Daniel Katsakiores, Phyllis Major, Norman Manning, John Matthews, Carolyn McKinney, Betsy Milz. David Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Sytek, John Tasker, Kyle Thomas, Douglas Tilton, Rio Ward, Joanne Tucker, Pamela Webb, James Welch, David Weyler, Kenneth Woitkun, Steven

Baber, William

Hannon, Joseph

Bickford, David

Horrigan, Timothy

Bixby, Peter

Jones, Laura

Cilley, Jacalyn

Kaen, Naida

STRAFFORD

Beaudoin, Steven Burton, Wayne Cheney, Catherine DeLemus, Susan DiSesa, Len Graham, Robert Gray, James Groen, Warren Kaczynski, Jr., Thomas Leeman, Don Pitre, Joseph Rollo, Deanna Sprague, Dale Stevens, Audrey Turcotte, Leonard SULLIVAN Gagnon, Raymond Grenier, James Laware, Thomas Converse, Larry Oxenham, Lee Rollins, Skip Smith, Steven **NAYS - 117** BELKNAP Fraser, Valerie Sylvia, Michael CARROLL Ticehurst, Susan Butler, Edward CHESHIRE Abbott, Michael Berch, Paul Bordenet, John Eaton, Daniel Parkhurst, Henry Robertson, Timothy Mann, John Phillips, Larry Sad. Tara Tatro, Bruce Weber, Lucy COOS Theberge, Robert Thomas, Yvonne Moynihan, Wayne GRAFTON Abel. Richard Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Hull, Robert Maes, Kevin Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles HILLSBOROUGH Backus, Robert Beaulieu, Jane Belanger, James Ammon, Keith DiSilvestro, Linda Edelblut, Frank Booras, Efstathia Burt, John Gorman, Mary Ferreira, Elizabeth Freitas, Mary Golev, Jeffrey Harvey, Suzanne Jack, Martin Kurk, Neal Heath, Mary Manley, Jonathan McCarthy, Peggy Leishman, Peter Long, Patrick O'Brien, Michael Ober, Russell Palmer, Barry Ober, Lynne Shattuck, Gilman Pierce, David Porter, Marjorie Rosenwald, Cindy Takesian, Charlene Wolf, Terry Woodbury, David MERRIMACK Doherty, David Ebel, Karen Bradlev, Paula Deloge, Helen Gile, Mary Karrick, David French, Barbara Frazer, June Kuch, Bill MacKay, James Kenison, Linda Kidder, David Moffett, Howard Myler, Mel Marple, Richard McGuire, Carol Saunderson, George Schuett, Dianne Rice, Chip Ratzki, Mario Shurtleff, Stephen Turcotte, Alan Seaworth, Brian ROCKINGHAM Gordon, Pamela Barnes, Arthur Cali-Pitts, Jacqueline Cushing, Robert Heffron, Frank Kappler, Lawrence McBeath, Rebecca Harris, Jeffrey Sherman, Thomas Simpson, Alexis True, Chris Pantelakos, Laura Ward, Gerald STRAFFORD

Mullen, John Spang, Judith Ward, Kenneth Schmidt, Peter Treleaven, Susan Wuelper, Kurt

Smith, Marjorie Verschueren, James Southworth, Thomas Wall, Janet

SULLIVAN

Cloutier, John

Gottling, Suzanne

Schmidt, Andrew

and the majority committee report was adopted and referred to the Committee on Education.

REGULAR CALENDAR CONT'D FROM FEBRUARY 10, 2016

HB 1641-FN-L, relative to requiring prevailing wages on state-funded public works projects. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Leon Rideout for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee felt that despite testimony that this would level the playing field it would do the opposite. The majority felt that the administrative burdens would hinder a small company from bidding on a state funded project which will hinder competition. The NH Department of Administrative Services testified that passing this bill would require them to hire 6 new employees to properly administer the provisions. The approximate cost will be \$2.6 million annually. Other states that have instituted a prevailing wage law have experienced an approximate 10% increase in construction costs which would add even more strain to the NH Department of Transportation's already stretched budget, resulting in fewer projects completed. The majority was also troubled that the often cited study in testimony was a national study not a study of the NH market, therefore the study's assumption could not be accurately applied to NH. Vote 10-6. Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. This bill would put more money from taxpayer-funded public construction projects into the hands of our NH workers and businesses. It would do so without increasing project costs, by preventing unscrupulous out-of-state contractors from underbidding NH-based workers and contractors. Without this law, we are shipping New Hampshire's jobs and taxpayer money out-of-state and failing to rebuild and enhance our own New Hampshire economy. Credible research shows that passing a prevailing wage law will not only direct more public dollars to our own NH workers and businesses, but also ensure construction workers on these projects receive healthcare benefits and competitive pay. The result would be the creation of at least 1,700 new jobs, nearly \$300 million in increased economic activity, and over \$7 million in new state and local tax revenues. Understanding that passing this bill would be a win for New Hampshire workers, the state, and all taxpayers, the minority voted against the motion of Inexpedient to Legislate and urge you to do the same.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Cilley and White spoke against and yielded to questions.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Rogers requested a roll call; sufficiently seconded.

YEAS 181 NAYS 138

YEAS - 181

BELKNAP

Aldrich, Glen Fraser, Valerie Spanos, Peter Dumais, Russell Gallagher, Brian Sylvia, Michael

Fields, Dennis LeBreche, Shari Tilton, Franklin Flanders, Donald Luther, Robert Vadney, Herbert

CARROLL

Avellani, Lino McCarthy, Frank Schmidt, Stephen Chandler, Gene McConkey, Mark Umberger, Karen

McConnell, James

Comeau, Ed Nelson, Bill Wright, Ted Cordelli, Glenn Parker, Harold

CHESHIRE

Hunt, John

Sterling, Franklin

COOS

Fothergill, John Tholl, John Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Darrow, Stephen Gionet, Edmond Hennessev. Erin Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick Shackett, Jeffrey HILLSBOROUGH Adams, Christopher Ammon, Keith Balcom, John Belanger, James Byron, Frank Biggie, Barbara Boehm, Ralph Burt, John Coffey, James Danielson, David Christensen, Chris Christie. Rick Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Gould, Linda Haefner, Robert Fromuth, Bart Gagne, Larry Hinch, Richard Hogan, Edith Hopper, Gary Hansen, Peter

LeBrun, Donald Kurk, Neal Lachance, Joseph Infantine, William Martel, Andre McCarthy, Peggy McLean, Mark Moore, Josh Ober, Russell Notter, Jeanine Ober, Lynne Murphy, Keith Pellegrino, Anthony Ohm, Bill Palmer, Barry Parison, James Peterson, Ken Pierce, David Prouix, Mark Rice, Kimberly Sanborn, Laurie Seidel, Carl Rouillard, Claire Rowe, Robert Takesian, Charlene

Smith, Gregory Straight, Phillip Wolf, Terry Ulery, Jordan

Rice, Frederick

Webb, James

Tilton, Rio

MERRIMACK

Sullivan, Victoria

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Long, Douglas Marple, Richard Horn, Werner Kuch, Bill McGuire, Dan Parent, Jason Martin, John McGuire, Carol Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Azarian, Gary Abrami, Patrick Allen, Marv Cardon, G. Thomas Barnes, Arthur Bates, David Christie, Andrew Cook, Allen Chirichiello, Brian Elliott, Robert Doucette, Fred Devine, James Gannon, William Fesh, Robert Ferrante, Beverly Green, Dennis Griffin, Mary Guthrie, Joseph Hoelzel, Kathleen Harris, Jeffrey Hodgdon, Bruce Katsakiores, Phyllis Itse. Daniel Kappler, Lawrence Manning, John Matthews, Carolyn McKinney, Betsy Nigrello, Robert O'Connor, John Milz. David Potucek, John Packard, Sherman Peckham, Michele

Tasker, Kyle Tucker, Pamela Wevler, Kenneth

Major, Norman McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Thomas, Douglas Ward, Joanne

Baldasaro, Alfred

DeSimone, Debra

Emerick, J. Tracv

Gordon, Richard

DeLemus, Susan

Hannon, Joseph

Mullen, John

Hagan, Joseph Introne, Robert

Chase, Francis

STRAFFORD

Bickford, David Cheney, Catherine Beaudoin, Steven Groen, Warren Graham, Robert Gray, James Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Turcotte, Leonard Sprague, Dale Pitre, Joseph

Sytek, John

True, Chris

Welch, David

Wuelper, Kurt

SULLIVAN

Rollins, Skip Smith, Steven Grenier, James

> **NAYS - 138** CARROLL

Ticehurst, Susan Butler, Edward Buco, Thomas

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Lev. Douglas Mann, John Parkhurst, Henry Pearson, William Phillips, Larry Roberts, Kris Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Moynihan, Wayne Theberge, Robert Thomas, Yvonne

Woodbury, David

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Booras, Efstathia Brown, Pamela Christiansen, Lars Cohen, Alan Cornell, Patricia Cote, David DiSilvestro, Linda Freitas, Mary Gidge. Kenneth Golev, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Jack, Martin Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael Porter, Mariorie Roberts, Carol Rosenwald, Cindy Shattuck, Gilman Shaw, Barbara Snow, Kendall Soucy, Timothy Sullivan, Daniel

MERRIMACK

Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June French, Barbara Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Kidder, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Abramson, Max
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
Heffron, Frank
McBeath, Rebecca
Simpson, Alexis
Ward, Gerald
Woitkun, Steven
Cahill, Michael
Gordon, Pamela
Gordon, Pamela
Sherman, Thomas

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Laware, Thomas Oxenham, Lee Schmidt, Andrew

and the majority committee report was adopted.

Williams, Kermit

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **HB 1434-FN**, relative to out-of-home placements under the child protection act.

REGULAR CALENDAR CONT'D

HB 1568-FN-A, relative to prepaid road tolls for certain alternative energy vehicles. OUGHT TO PASS WITH AMENDMENT.

Rep. Franklin Tilton for Public Works and Highways. This bill as amended establishes a road toll at the time of registration for vehicles powered solely by electricity. The annual toll will be equal to the amount of the state portion of the registration fee. This reestablishes a requirement that existed in NH from 1981 until 2001. The amendment and amended bill applies only to those vehicles powered solely by electricity. Currently all vehicles using the NH State highways except those powered by electricity share in the highway maintenance costs through the gas tax or other methods. Vote 15-0.

Amendment (0335h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to prepaid road tolls for electric vehicles.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Electric Vehicle Defined. Amend RSA 259 by inserting after section 27 the following new section:

259:27-a Electric Vehicles. "Electric vehicle" shall mean a vehicle powered solely by electricity.

2 New Paragraph; Alternate Energy; Road Tolls. Amend RSA 260:52 by inserting after paragraph XVIII the following new paragraph:

XIX. Each person registering an electric vehicle shall be required to prepay road toll fees at the time of registration of the vehicle. The toll for a full 12-month year shall be equal to the state registration fee under RSA 261:141 for a full year. The toll for a period of less than a full year shall be prorated in the same manner as vehicle registrations are prorated under RSA 261:141. Any person who shall drive or cause to be driven a motor vehicle in violation of the provisions of this paragraph shall be guilty of a violation.

3 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill establishes prepaid road tolls for electric vehicles. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 222 members having voted in the affirmative and 95 in the negative, the committee report was adopted and referred to the Committee on Ways and Means.

HB 1298, relative to damage to private property. OUGHT TO PASS WITH AMENDMENT.

Rep. John Mullen for Resources, Recreation and Development. This bill, as amended, addresses the process by which landowners may seek to recover damages caused by illegal dumping and release of pollutants caused by OHRV's and snowmobiles while traveling on an owner's property. Current statute does not provide adequate guidance to the courts, the Department of Environmental Services, or municipalities on how a landowner may recover costs for cleanup when an incident occurs, nor does it provide sufficient deterrents to prevent such activity. When an incident occurs, the bill would allow a landowner to commence a right of action for the cost of cleanup and such damages that may result from any discharges of the damaging pollutants. Additionally, a penalty of up to 3 times actual damages could be imposed and the recovery of attorney's fees incurred by the owner could be ordered. Vote 17-0.

Amendment (0228h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Landowner's Right of Action. Amend RSA by inserting after chapter 149-O the following new chapter:

CHAPTER 149-P LANDOWNER'S RIGHT OF ACTION

149-P:1 Landowner's Right of Action.

I. It is hereby declared to be in the public interest to encourage the preservation and conservation of the land, water, forest, agricultural, and wildlife resources of this state. It is also declared to be in the public interest to discourage and provide means for preventing the spoliation of such resources from the effects of illegal dumping, and to create rights in landowners to provide the means for obtaining such objectives. It is the intention of this chapter to create a landowner's right of action in support of these purposes.

- II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through 146-O, upon the land of another, shall be liable to the owner of the land.
 - III. Upon such discharge occurring, the owner of the land may:
- (a) Commence an action for the cost of cleanup and any such damages as may result from the discharge;
- b) Seek injunctive relief enjoining any activity described in paragraph II, if such activity is imminent or likely;
- (c) a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;
- (d) Obtain multiple damages against the person causing the discharge of up to 3 times actual damages, based upon the degree of culpability, as determined by the trier of fact;
- (e) Obtain reasonable attorneys' fees and professional fees associated with the containment, cleanup, and remediation, and the seeking and obtaining relief and damages;
- (f) Require the person causing the discharge to provide a bond, or other assurances sufficient to cover the costs of containment, cleanup, and remediation, upon a showing by the owner that there is a reasonable likelihood of a judgment; and
- (g) Obtain an attachment, prejudgment attachment, or trustee process in accordance with RSA 511, RSA 511-A and RSA 512.
- IV.(a) This chapter shall only apply to discharges that are made directly upon the landowner's land and shall not apply to those discharges that originate from the land of another, including without limitation, discharges from any above ground or underground storage tank. However, this chapter shall not otherwise limit any other rights afforded a landowner for such discharges originating from the land of another.
- (b) For the purposes of this chapter, a landowner shall include any owner holding an entire, joint, fractional, mortgage, or other ownership interest in the land, but any separate claims made by more than one such owner shall be consolidated into a single action.
- (c) This chapter shall not apply to or benefit any owner holding an interest in the land making claim against any other owner holding an interest in the same land.
- (d) This chapter shall not apply to a discharge on a landowner's land, when the discharge results from a motor vehicle involved in a motor vehicle accident not originating on the landowner's land.
- (e) The rights and benefits conferred upon a landowner under this chapter shall not apply to any claim or claims against the state and its subdivisions.
- 2 Penalties; OHRV/Operator Responsibilities; Roads Included. Amend RSA 215-A:19, I(a)(1) to read as follows:
- (1) To the owner of any lands where trees, shrubs, *roads*, or other property have been damaged as a result of travel over [their] the owner's premises by such vehicles.
- 3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:
 - (f) The use of the OHRV has resulted in damage to private property.
- 4 New Paragraph; Penalties; OHRV/Operator Responsibilities. Amend RSA 215-A:19 by inserting after paragraph IX the following new paragraph:
- X. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:
 - (a) The cost of clean-up and restoration to the prior condition of the lands.
- (b) Multiple damages of up to 3 times actual damages, based upon the recklessness or severity of the conduct, as determined by the trier of fact.

(c) Reasonable attorney's fees necessary to the action.

- 5 Damage to Land; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, I(a)(1) to read as follows:
- (1) To the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over [his or her] the owner's premises by such vehicles.
- 6 New Subparagraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the snowmobile has resulted in damage to public or private property.

7 New Paragraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA

215-C:34 by inserting after paragraph VIII the following new paragraph:

IX. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands;

- (b) Multiple damages of up to 3 times actual damages, based upon the level of culpability of the conduct, as determined by the trier of fact; and
 - (c) Reasonable attorney's fees.

8 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill:

I. Creates a cause of action for a landowner whose land is damaged by pollution.

II. Creates a cause of action for a landowner whose land is damaged by OHRV.

III. Creates a cause of action for a landowner whose land is damaged by snowmobile use. Committee amendment adopted.

Rep. Chris Christensen offered floor amendment (0255h).

Floor Amendment (0255h)

Amend RSA 215-A:19, V(f) as inserted by section 3 of the bill by replacing it with the following:

(f) The use of the OHRV has resulted in damage to public or private property.

Rep. Chris Christensen spoke in favor.

Floor amendment (0255h) adopted.

Committee report adopted and referred to the Committee on Judiciary.

HB 1412-FN, relative to duties of the public utilities commission. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill would have expanded the responsibilities of the Public Utilities Commission (PUC) to perform economic, environmental and social analyses as part of its investigations into utility regulation. The bill's fiscal note estimated that these expanded responsibilities would increase the agency's costs by \$2.7 to \$3.2 million. The prime sponsor presented an amendment at the public hearing that reduced the bill to merely asking the PUC to make judgments about the "public good." During questioning, the terms "public good" and "public interest" were determined to be synonymous. Since statute already directs the PUC to judge whether regulatory actions are in the public interest, the need for this legislation is not apparent. Vote 15-5. Rep. William Baber for the Minority of Science, Technology and Energy. The modest intent of this bill is to extend the scope of consideration in the Public Utilities Commission's (PUC) decision processes to include the concept of "public interest" in all of their decisions given that the state is experiencing a rapid transformation in the sources and transmission of energy. Allowing the PUC to consider all factors that may impact the economy, jobs, and the environment is clearly in the best interest of the state. The minority believes the amendment will eliminate the need for a fiscal note and allows more discretion by the PUC.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Oxenham spoke against.

(Rep. Packard in the Chair)

Rep. Douglas Thomas spoke in favor.

On a division vote, with 201 members having voted in the affirmative and 111 in the negative, the majority committee report was adopted.

HB 1553-FN, transferring the administration of the telecommunications accounting unit. **OUGHT TO PASS.**

Rep. Marjorie Shepardson for Science, Technology and Energy. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making the Department of Information Technology a more fitting place for these functions to reside. It should make billing more efficient and reduce one employee position. The fiscal note states this bill will decrease state expenditures. Vote 19-0. Committee report adopted and referred to the Committee on Finance.

HB 1622-FN, relative to radioactive waste and establishing a nuclear waste storage fee. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill strongly discourages the storage of nuclear waste at Seabrook Station by placing a high annual fee (\$500,000) on each cask of such waste stored on site. Investigation showed there are fourteen casks already on site that would result in an annual charge of \$7 million to Seabrook Station, money that would surely be raised from customers. Passing such costs on to ratepayers would increase what are already being considered intolerably high electricity bills in the state. Although removing the spent fuel waste from Seabrook may be an admirable goal, it is a situation Seabrook Station cannot control as the federal government has not yet provided a location or mechanism to properly dispose of such waste as required under federal law. Existing state statute (RSA 125:77-b) specifically allows interim on-site storage of nuclear fuel and spent fuel at Seabrook. Until the federal government provides a more permanent solution for long term storage or disposal, the Seabrook spent fuel waste will remain at Seabrook and there is little to nothing we can do to change that situation. In addition, RSA 125:77-b prohibits the disposal of any radioactive waste in the state, thereby making the 9 pages of the bill that would regulate the siting of a disposal site in the state unnecessary. Further, it should be noted, Seabrook's highly reliable 1,200 megawatts of carbon free electricity are critical to powering our New England electrical grid. Tinkering with it at this time could prove foolhardy. Vote 13-6. Rep. David Borden for the Minority of Science, Technology and Energy. In January 1986, the US Department of Energy announced that it had identified a 78 square mile area centered in Hillsborough, NH as a potential site for burial of the nation's high level radioactive waste. That year, 137 towns passed warrant articles opposing the proposed waste site and the legislature passed the High Level Radioactive Waste Act. The act was signed into law by Governor Sununu. The law was repealed as part of the trailer bill in 2011. This bill reestablishes the law and ensures that no new high level radioactive waste site areas are created in our state. The amendment proposed by the minority eliminates the fees which could be assessed by the bill.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Backus spoke against and yielded to questions.

Rep. Vadney spoke in favor.

Rep. Cushing spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 171 NAYS 145

YEAS - 171

BELKNAP

Aldrich, GlenDumais, RussellFields, DennisFlanders, DonaldFraser, ValerieGallagher, BrianLeBreche, ShariLuther, RobertSpanos, PeterSylvia, MichaelTilton, FranklinVadney, Herbert

CARROLL

Avellani, Lino Buco, Thomas Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Schmidt, Stephen Umberger, Karen

CHESHIRE

Bordenet, John Hunt, John Sterling, Franklin

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		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Gionet, Edmond Ladd, Rick	Hennessey, Erin Shackett, Jeffrey	Hull, Robert	Ingbretson, Paul
	нил	SBOROUGH	
Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Edelblut, Frank	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Gould, Linda	Haefner, Robert	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Martel, Andre
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Smith, Gregory
Straight, Phillip	Sullivan, Victoria	Ulery, Jordan	, - ,
	ME	RRIMACK	
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Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kidder, David	Kuch, Bill	Long, Douglas
Marple, Richard Parent, Jason	Martin, John Seaworth, Brian	McGuire, Carol Walsh, Thomas	McGuire, Dan
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		CKINGHAM	
Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Bates, David	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Lundgren, David	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Sytek, John	Thomas, Douglas
Tilton, Rio	True, Chris Weyler, Kenneth	Tucker, Pamela Woitkun, Steven	Ward, Joanne
Welch, David	weyler, Kerineur	Wolkun, Steven	
		RAFFORD	
Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	
	SU	ULLIVAN	
Laware, Thomas	Rollins, Skip	Schmidt, Andrew	Smith, Steven

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Butler, Edward Parker, Harold Ticehurst, Susan Wright, Ted

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Chase, Cynthia Eaton, Daniel Lev. Douglas Mann, John McConnell, James Parkhurst, Henry Pearson, William Roberts, Kris Robertson, Timothy Shepardson, Marjorie Sad, Tara Tatro, Bruce Tilton, Benjamin Weber, Lucy

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Hatch, William Moynihan, Wayne Theberge, Robert Thomas, Yvonne

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Backus, Robert Baroody, Benjamin Beaulieu, Jane Booras, Efstathia Brown, Pamela Cohen, Alan Cornell, Patricia Cote, David Danielson, David DiSilvestro, Linda Edwards, Elizabeth Estevez, Eric Freitas, Mary Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Jack, Martin Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael Porter, Marjorie Roberts, Carol Rosenwald, Cindy Shattuck, Gilman Shaw, Barbara Soucy, Timothy Snow, Kendall Sullivan, Daniel Takesian, Charlene Williams, Kermit Woodbury, David

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ROCKINGHAM

Abramson, Max Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert Francese, Paula Gordon, Pameia Guthrie, Joseph Heffron, Frank McBeath, Rebecca Pantelakos, Laura Peckham, Michele Sherman, Thomas Simpson, Alexis Ward, Gerald Webb, James

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Kaen, Naida Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Oxenham, Lee

and the majority committee report was adopted. Rep. Estevez voted Nay and intended to vote Yea.

(Speaker Jasper in the Chair)

HB 1673-FN-L, establishing a cash balance plan within the state retirement system. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Neal Kurk for the Majority of Special Committee on Public Employee Pension Plans. This legislation, with the amendment, would enact a cash balance defined benefit pension plan for all new state employees hired on and after July 1, 2016. It does not change, or in any way affect, the current traditional defined benefit retirement plan for all current state and political subdivision employees, and it would only apply to employees of political subdivisions if and when that subdivision's governing body voted to adopt the plan. Under a cash balance plan, the employer guarantees a minimum return on each employee's retirement account regardless of the investment return on the pension plan's investments. If the pension plan earns a rate of return greater than the guaranteed minimum return, the employer and employee share the benefits of those excess investment earnings. Under this cash balance plan, an employee's retirement is funded in the first instance by annual contributions made by both the employer and employee - identical in amount to the contributions of employers and employees under NH's current defined benefit plan. The value of each employee account increases annually by an "interest credit rate" based on the federal mid-term bond rate, but with a guaranteed minimum of 5%. In addition, the retirement system Board of Trustees may vote to pay an additional dividend to all participating employees up to a maximum total of 66.7% of the total investment earnings of the retirement trust fund (including the total interest credits already paid to the employees' accounts) over any five-year rolling period. All contributions, interest credits and dividends compound annually until the employee either retires or withdraws the accumulated benefits from the plan. An employee in the cash balance plan fully vests in five years, and the account is 100% portable. Under the plan, at retirement an employee can elect to receive a 2.5% COLA as part of his final retirement benefit (to be paid for out of the member's total retirement account), and may receive up to 50% of his final retirement benefit as a lump sum. Generally speaking, the cash balance plan will be administered and invested the same way as the current plan. The primary difference between NH's current defined benefit plan and this cash balance defined benefit plan is in the method of calculating the value of the final retirement account. Under the current plan, that value is based upon an employee's years of service and his average earnings in the final years before retirement. Under this bill, that value is based upon the amount of contributions, interest credits and dividends credited to the employee's account, compounded over the employee's years of service and final retirement date. This creates somewhat greater uncertainty in the cash balance defined benefit plan in that the employee could get somewhat less in the cash balance plan than in the current plan; but that employee could also get more - perhaps significantly more, under the cash balance plan. The intent behind this cash balance defined benefit plan is to provide employee retirement benefits that are essentially the same as the retirement benefits under the current NH plan, assuming the markets generate the same rate of return over future decades that they have generated over the past six or so decades. The current NH Retirement plan is underfunded by approximately \$4 billion. A plan was put into place in 2007 to pay down that unfunded amortized actuarial liability (UAAL) over 25 years. This cash balance plan continues that robust amortization plan by contributing to the amortization schedule for every new State employee over the remaining years of that schedule. In addition, this cash balance defined benefit plan will substantially reduce the possibility that the UAAL will grow larger over time. By its very nature, a cash balance defined benefit plan is funded on a pay-as-you-go basis. This is amply demonstrated by the cash balance plan adopted by Nebraska in 2003 - the plan this legislation was closely modeled after. That plan has been very successful during both economic good times and the great recession. It was fully funded at 104% at the end of 2015, and employees have seen their accounts grow on average more than 7.90% per year over those twelve years. Vote 7-6.

Rep. Jeffrey Goley for the Minority of Special Committee on Public Employee Pension Plans. The committee only had two weeks between the public hearing and the executive session and was not able to get answers on numerous concerns we had about the legislation. One of the main concerns was - what percentage of an employee's income would be replaced at the time of retirement under a cash balance plan? The minority of the committee believes that a retiree under this plan may have their benefits significantly reduced. While the sponsor has stated that his intent is

to establish a plan that would produce a level of income replacement that is similar to the current defined benefit plan, the fact is that there have been no solid calculations produced to show that this bill would do that. There was also a legal consideration brought forward by the NH Retirement System. Staff noted that the employer contribution credit as determined by RSA 100-A:16 may violate the definitely determinable rule under the Internal Revenue Code Section 401(a). Another main factor in recommending Interim Study is that both the NH Municipal Association and the NH School Board Association testified that they would like to wait until the Decennial Retirement Commission begins its work in 2017, where the discussion on a cash balance plan could be thoroughly vetted and explored.

Majority Amendment (0223h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Definition; Cash Balance Plan. Amend RSA 100-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Cash balance plan" means the retirement plan established in RSA 100-A:58 through RSA 100-A:70 administered by the board of trustees for persons who begin service on and after July 1, 2016, and who are required to participate as a condition of employment under RSA 100-A:3, I-b or I-c.

2 New Paragraphs; Membership; Cash Balance Plan. Amend RSA 100-A:3 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who begins service on or after July 1, 2016 with the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, as an employee, teacher, permanent policeman, or permanent fireman, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

I-c. Any political subdivision employee, teacher, permanent policeman, or permanent fireman, of a non-state employer, working in a full-time position for such employer as determined by common law standards, where the employer has made a separate election under the provisions of RSA 100-A:25-a to have its employees, teachers, policemen, and firemen participate in the cash balance plan, and who begins service on or after July 1, 2016 and after the effective date of such election, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

Amend RSA 100-A:65, I as inserted by section 6 of the bill by replacing it with the following:

I. For the fiscal year beginning July 1, 2016, and each fiscal year thereafter, the actuary for the board shall perform a separate actuarial valuation of the cash balance plan using the entry age actuarial cost method.

Amend the bill by replacing section 9 with the following:

9 Effective Date. This act shall take effect July 1, 2016.

AMENDED ANALYSIS

This bill establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2016. Teachers, policemen, firemen, and political subdivision employee members of a non-state employer hired on or after July 1, 2016 are cash balance plan members if their employer elects to have their members participate in the cash balance plan.

MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 1673-FN-L**, establishing a cash balance plan within the state retirement system, be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 188 NAYS 127

YEAS - 188 BELKNAP

LeBreche, Shari Spanos, Peter

CARROLL

Buco, Thomas Butler, Edward Parker, Harold Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy

Tilton, Benjamin

Hatch, William Thomas, Yvonne

Abel, Richard Ford, Susan Ingbretson, Paul Smith, Suzanne

Backus, Robert Booras, Efstathia Cornell, Patricia Edwards, Elizabeth Gorman, Mary Heath, Mary Jack, Martin Mangipudi, Latha McLean, Mark Porter, Mariorie Seidel, Carl Soucy, Timothy

Bartlett, Christy Deloge, Helen French, Barbara Hirsch, Geoffrey Kidder, David Myler, Mel Rogers, Katherine Turcotte, Alan

Williams, Kermit

Azarian, Gary Berrien, Skip Cardon, G. Thomas Emerick, J. Tracy Hagan, Joseph McBeath, Rebecca Sherman, Thomas True. Chris

Baber, William Cilley, Jacalyn Hannon, Joseph Kaen, Naida Spang, Judith Turcotte, Leonard Ames, Richard Eaton, Daniel Parkhurst, Henry Sad. Tara

Weber, Lucy COOS

Moynihan, Wayne

Hennessey, Martha

Almy, Susan

Maes, Kevin

Sykes, George

Rappaport, Laurence

Berch, Paul

Hunt, John

Pearson, William

Shepardson, Marjorie

GRAFTON Cooney, Mary Higgins, Patricia Massimilla, Linda Townsend, Charles

HILLSBOROUGH Beaulieu, Jane

Burt, John

Danielson, David

Hansberry, Daniel

Leishman, Peter

Gidge, Kenneth

Hopper, Gary

Martel, Andre

Murphy, Keith

Shaw, Barbara

Sullivan, Daniel

Brewster, Michael

Ebel, Karen

Henle, Paul

Karrick, David

Ratzki, Mario

Marple, Richard

Schuett, Dianne

Barnes, Arthur

Cahill, Michael

Rosenwald, Cindy

Baroody, Benjamin Brown, Pamela Cote. David Freitas, Mary Guerette, C. Lee Herbert, Christopher Lachance, Joseph Manley, Jonathan McNamara, Richard Proulx, Mark Shattuck, Gilman Souza, Kathleen Woodbury, David

MERRIMACK Bradley, Paula Doherty, David Gile, Mary Hoell, J.R. MacKay, James Patten, Dick Saunderson, George

Wallner, Mary Jane ROCKINGHAM

Baldasaro, Alfred Borden, David Cushing, Robert Francese, Paula Heffron, Frank McKinney, Betsy Simpson, Alexis Tucker, Pamela

Doucette, Fred Gannon, William Itse. Daniel Pantelakos, Laura Tasker, Kyle Ward, Gerald

STRAFFORD

Berube, Roger DeLemus, Susan Horrigan, Timothy Schmidt, Peter Sprague, Dale Verschueren, James Bixby, Peter DiSesa, Len Jones, Laura Smith, Marjorie Stevens, Audrey Wall, Janet

Bordenet, John Ley, Douglas Phillips, Larry Tatro, Bruce

Theberge, Robert

Darrow, Stephen Hull, Robert Nordgren, Sharon White, Andrew

Biggie, Barbara Cohen, Alan DiSilvestro, Linda Goley, Jeffrey Harvey, Suzanne Infantine, William Long, Patrick McCarthy, Peggy O'Brien, Michael Sanborn, Laurie Snow, Kendall

Ulery, Jordan

Carson, Clyde Frazer, June Hill, Gregory Kenison, Linda Moffett, Howard Rice, Chip Shurtleff, Stephen

Bates, David Cali-Pitts, Jacqueline Elliott, Robert Gordon, Pamela Kappler, Lawrence Peckham, Michele Tilton, Rio Woitkun, Steven

Burton, Wayne Graham, Robert Kaczynski, Jr., Thomas Southworth, Thomas Treleaven, Susan Ward, Kenneth

SULLIVAN

	S	ULLIVAN	
Cloutier, John Laware, Thomas	Converse, Larry Oxenham, Lee	Gagnon, Raymond Schmidt, Andrew	Gottling, Suzanne
	N	AYS - 127	
	В	BELKNAP	
Aldrich, Glen Fraser, Valerie Tilton, Franklin	Dumais, Russell Gallagher, Brian Vadney, Herbert	Fields, Dennis Luther, Robert	Flanders, Donald Sylvia, Michael
	C	ARROLL	
Avellani, Lino McCarthy, Frank Wright, Ted	Chandler, Gene McConkey, Mark	Comeau, Ed Schmidt, Stephen	Cordelli, Glenn Umberger, Karen
	C	HESHIRE	
McConnell, James	Roberts, Kris	Sterling, Franklin	
		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	
	G	RAFTON	
Gionet, Edmond	Hennessey, Erin	Ladd, Rick	Shackett, Jeffrey
	•	SBOROUGH	ondenou, como,
Adams Christopher			Delenger James
Adams, Christopher Boehm, Ralph	Ammon, Keith Byron, Frank	Balcom, John	Belanger, James
Christie, Rick	Coffey, James	Christensen, Chris Edelblut, Frank	Christiansen, Lars
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Estevez, Eric Gould, Linda
Haefner, Robert	Hansen, Peter	Hinch, Richard	Hogan, Edith
Kurk, Neal	LeBrun, Donald	Moore, Josh	Notter, Jeanine
Ober, Lynne	Ober, Russell	Ohm, Bill	
Parison, James	Peterson, Ken	Pierce, David	Palmer, Barry
Rouillard, Claire	Rowe, Robert	Smith, Gregory	Rice, Kimberly
Sullivan, Victoria	Takesian, Charlene	Sitilliti, Gregory	Straight, Phillip
		RRIMACK	
French, Harold	Hom, Werner		Long Douglas
Martin, John	McGuire, Carol	Kuch, Bill	Long, Douglas
Seaworth, Brian	Walsh, Thomas	McGuire, Dan	Parent, Jason
oodwordi, brian	·	NTTT 10 T 1 T 2	
		CKINGHAM	
Abrami, Patrick	Abramson, Max	Allen, Mary	Chase, Francis
Chirichiello, Brian	Cook, Allen	DeSimone, Debra	Devine, James
Ferrante, Beverly	Fesh, Robert	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Osborne, Jason
Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Kat	herine Rice, Frederick
Sytek, John	Thomas, Douglas	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		
	COD	DAEEODD	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Leeman, Don	Mullen, John	Pitre, Joseph
Wuelner Kurt			,

SULLIVAN

Grenier, James Rollins, Skip and the motion was adopted.

Smith, Steven

REGULAR CALENDAR CONT'D

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. OUGHT TO PASS WITH AMENDMENT.

Rep. Sherman Packard for Transportation, For almost ten years NH has said it will not participate in what is referred to as Real ID. This law was passed by Congress in 2005. The concept was taken from the 9/11 Commission report. It stated the federal government should set standards for the issuance of birth certificates and sources of identification such as drivers' licenses. It was feared by many that this would turn into a national identification card database. That fear has been averted. Developing a NH compliant drivers' license does not create a national ID card, a federal database of driver license information or new federal access to state data. This bill will allow NH citizens to voluntarily obtain a real ID compliant license. This bill is completely opt-in. The deadlines have been set by Homeland Security. Many federal buildings are not now accessible with a NH license. Provisions governing the boarding of aircraft will take effect January 2018. If we do not act in a responsible manner hundreds of thousands of our citizens will be greatly affected. If we do not act we will be forcing our citizens to obtain a passport causing some families great financial difficulty. In NH if you wish to have your picture and Social Security number removed from the Department of Safety database after you receive your license you may. To opt-in for a Real ID license you must agree to leave those two items retained in the NH system. If you choose not to have a Real ID license you will still be able to have those two items removed. Your license will be marked non-compliant for federal purposes if you do not have a Real ID license. Though some feel that we should continue to refuse to participate in Real ID, we were elected to govern in the best interests of the citizens of the State of NH. Preventing our constituents from having the option of obtaining a Real ID license is unfair and unnecessary. This bill is completely voluntary. No one is being forced or asked to obtain a Real ID license. We are only giving them the ability to make an informed decision on participating or not participating in Real ID. The amendment sends a strong statement of dissatisfaction with Real ID. Unless this law is changed federally it is our responsibility to give our constituents the option. Vote 16-2.

Amendment (0123h)

Amend the bill by replacing section 1 with the following:

1 Prohibition Against Participation in National Identification System. Amend 2007, 243:1, I-II as amended by 2010, 372:1 to read as follows:

I. The general court finds that the public policy established by Congress in the Real ID Act of 2005, Public Law 109-13, is contrary and repugnant to Articles 1 through 10 of the New Hampshire constitution as well as Amendments 4 though 10 of the Constitution for the United States of America. Therefore, except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c, the state of New Hampshire shall not participate in any driver's license program pursuant to the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID.

II. Except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c, the department of safety shall not amend procedures for applying for a driver's license [under RSA 263] or an identification card [under RSA 260:21] in order to comply with the goals or standards set forth in the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID, or in any rules or regulations promulgated thereunder, or in any requirements adopted by the American Association of Motor Vehicle Administrators for such purposes.

Amend RSA 260:21-a, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued. Amend RSA 260:21-b, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued. Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a to read as follows:

260:14-a Provision for Federal Identification Database Prohibited.

I. The department shall not provide a complete, or substantially complete or mirrored, extract of motor vehicle records that contain personally identifiable information from any file or database to the federal government or to any agent or agency of, or contractor engaged by, the federal government for the purpose of creating or enhancing a federal identification database.

II. In support of the department's participation in the enhanced driver's license program, the interface to the cognizant federal authority shall be implemented to provide a specific response at the time a New Hampshire enhanced driver's license holder presents that license at a border crossing. The department shall not provide the full set of driver information to the cognizant federal authority at the time of license issuance.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Shurtleff offered floor amendment (0447h).

Floor Amendment (0447h)

Amend the bill by replacing sections 6-7 with the following:

6 Identification Cards. Amend RSA 260:21, III to read as follows:

III. The identification card shall bear the name, address, date of birth, blood type (optional), veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), picture and signature of the applicant, and in the case of a card issued pursuant to RSA 260:21, I(c), said card shall bear the notation "Golden Granite State Discount Card." An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the identification card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.

7 New Paragraph; Identification Cards. Amend RSA 260:21 by inserting after paragraph XI the following new paragraph:

XII. Unless the applicant chooses not to have his or her facial image, signature, and social security number retained by the department, the department shall issue a nondriver's picture identification card that is compliant with the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including, but not limited to, 6 C.F.R. part 37, or an enhanced identification card as proof of identity and citizenship for persons entering the United States at land and sea ports which meet the standards of the Western Hemisphere Travel Initiative developed by the United States Department of State and the United States Department of Homeland Security, and its associated regulations, including but not limited to Documents Required for Travelers Departing From or Arriving in the United States at Sea and Land Ports-of-Entry From Within the Western Hemisphere, 73 Fed. Reg. 18,384, Apr. 3, 2008, respectively, in lieu of an identification card defined in RSA 260:21.

Amend RSA 260:21-a, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 260:21-b, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 263:14-b as inserted by section 11 of the bill by replacing it with the following:

263:14-b Driver's License Compliant with Public Law 109-13. Except for applicants who choose not to have their facial image, signature, and social security number retained by the department, the department of safety shall issue drivers' licenses which meet the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including but not limited to 6 C.F.R. part 37. The department shall upon application issue a driver's license that complies with Public Law 109-13 to any resident who:

I. Pays the required fee;

II. Does not hold any other driver's license or nondriver's picture identification card;

III. Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

IV. Provides documents required to demonstrate identity, United States citizenship, social security number, and New Hampshire residency.

Amend RSA 263:14-c, III as inserted by section 11 of the bill by replacing it with the following:

III. Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

Amend RSA 263:40, I as inserted by section 12 of the bill by replacing it with the following:

I. The commissioner shall, upon payment of the required fee, issue to every applicant a driver's license subject to such conditions as the commissioner may deem expedient and in such form as the commissioner may prescribe. Licenses issued to persons under the age of 21 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical axes of licenses issued to other persons, and said licenses shall prominently display the date on which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator license shall expire on the 21st anniversary of the applicant's date of birth, at which time the applicant shall be issued a traditional license. The license shall bear thereon a distinguishing number assigned to the licensee and an instant full-face color photograph, image, or likeness of the licensee. There shall also be provided a space wherein the licensee may indicate his or her honorable veteran's status for purposes of identification for receiving benefits and services under New Hampshire law if the licensee so desires. The license shall bear a special designation or symbol indicating honorable veteran's status for licensees who indicate such veteran status. An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the driver's license card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.

AMENDED ANALYSIS

This bill requires that drivers' licenses and nondrivers' picture identification cards comply with the Real ID Act of 2005 unless the applicant chooses a noncompliant license or card.

This bill also authorizes optional enhanced drivers' licenses and optional enhanced nondrivers' picture identification cards which meet the standards of the Western Hemisphere Travel Initiative. Rep. Kurk spoke against.

Rep. Shurtleff spoke in favor and requested a roll call; sufficiently seconded.

YEAS 127 NAYS 190

YEAS - 127 CARROLL

	0.	IIII	
Butler, Edward	Ticehurst, Susan		
	CI	HESHIRE	
Ames, Richard Eaton, Daniel Pearson, William Shepardson, Marjorie	Berch, Paul Ley, Douglas Phillips, Larry Tatro, Bruce	Bordenet, John Mann, John Robertson, Timothy Weber, Lucy	Chase, Cynthia Parkhurst, Henry Sad, Tara
		COOS	
Hatch, William	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard Hennessey, Martha Smith, Suzanne	Bennett, Travis Maes, Kevin Sykes, George	Cooney, Mary Massimilla, Linda Townsend, Charles	Ford, Susan Nordgren, Sharon White, Andrew
	HILL	SBOROUGH	
Backus, Robert Brown, Pamela DiSilvestro, Linda Gorman, Mary Heath, Mary	Baroody, Benjamin Cohen, Alan Freitas, Mary Guerette, C. Lee Herbert, Christopher	Beaulieu, Jane Cornell, Patricia Gidge, Kenneth Hansberry, Daniel Leishman, Peter	Booras, Efstathia Cote, David Goley, Jeffrey Harvey, Suzanne Long, Patrick

		,	
Mangipudi, Latha Porter, Marjorie Shaw, Barbara Williams, Kermit	Manley, Jonathan Roberts, Carol Snow, Kendall Woodbury, David	McNamara, Richard Rosenwald, Cindy Soucy, Timothy	O'Brien, Michael Shattuck, Gilman Sullivan, Daniel
	ME	ERRIMACK	
Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda Patten, Dick Schuett, Dianne	Bradley, Paula Ebel, Karen Henle, Paul MacKay, James Rice, Chip Shurtleff, Stephen	Carson, Clyde Frazer, June Hirsch, Geoffrey Moffett, Howard Rogers, Katherine Turcotte, Alan	Deloge, Helen French, Barbara Karrick, David Myler, Mel Saunderson, George Wallner, Mary Jane
	ROC	CKINGHAM	•
Berrien, Skip Cushing, Robert Heffron, Frank Simpson, Alexis	Borden, David Francese, Paula McBeath, Rebecca Ward, Gerald	Cahill, Michael Gordon, Pamela Pantelakos, Laura	Cali-Pitts, Jacqueline Guthrie, Joseph Sherman, Thomas
	ST	RAFFORD	
Baber, William Cilley, Jacalyn Southworth, Thomas Treleaven, Susan	Berube, Roger Horrigan, Timothy Spang, Judith Verschueren, James	Bixby, Peter Schmidt, Peter Sprague, Dale Wall, Janet	Burton, Wayne Srnith, Marjorie Stevens, Audrey Ward, Kenneth
	SI	ULLIVAN	
Cloutier, John Oxenham, Lee	Converse, Larry Schmidt, Andrew	Gagnon, Raymond	Gottling, Suzanne
	N	AYS - 190	
	В	ELKNAP	
Aldrich, Glen Fraser, Valerie Spanos, Peter	Dumais, Russell Gallagher, Brian Sylvia, Michael	Fields, Dennis LeBreche, Shari Tilton, Franklin	Flanders, Donald Luther, Robert Vadney, Herbert
	C	ARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	Cl	HESHIRE	
Abbott, Michael Sterling, Franklin	Hunt, John Tilton, Benjamin	McConnell, James	Roberts, Kris
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Almy, Susan Higgins, Patricia Ladd, Rick	Darrow, Stephen Hull, Robert Shackett, Jeffrey	Gionet, Edmond Ingbretson, Paul	Hennessey, Erin Johnson, Eric
	HILL	SBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris	Ammon, Keith Boehm, Ralph Christie, Bick	Balcom, John Burt, John Coffey, James	Belanger, James Byron, Frank

Coffey, James

Danielson, David

Christensen, Chris

Christie, Rick

Estevez, Eric Ferreira, Elizabeth Edwards, Elizabeth Edelblut, Frank Haefner, Robert Gould, Linda Fromuth, Bart Gagne, Larry Hopper, Gary Hansen, Peter Hinch, Richard Hogan, Edith LeBrun, Donald Lachance, Joseph Kurk, Neal Jack, Martin Moore, Josh McCarthy, Peggy McLean, Mark Martel, Andre Ober, Russell Notter, Jeanine Ober, Lynne Murphy, Keith Pellegrino, Anthony Peterson, Ken Palmer, Barry Ohm, Bill Rice, Kimberly Rouillard, Claire Pierce, David Proulx. Mark Schleien, Eric Seidel, Carl Rowe, Robert Sanborn, Laurie Sullivan, Victoria Straight, Phillip Smith, Gregory Souza, Kathleen Wolf, Terry Takesian, Charlene Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Hill. Gregory Hoell, J.R. Kuch, Bill Long, Douglas Kidder, David Horn, Werner McGuire, Carol McGuire, Dan Martin, John Marple, Richard Walsh, Thomas Parent, Jason Ratzki, Mario Seaworth, Brian

ROCKINGHAM

Azarian, Gary Allen, Mary Abrami, Patrick Abramson, Max Cardon, G. Thomas Barnes, Arthur Bates, David Baldasaro, Alfred DeSimone, Debra Chirichiello, Brian Cook, Allen Chase, Francis Emerick, J. Tracv Elliott, Robert Devine, James Doucette, Fred Gordon, Richard Gannon, William Ferrante, Beverly Fesh, Robert Harris, Jeffrey Hagan, Joseph Green, Dennis Griffin, Mary Hoelzel, Kathleen Introne, Robert Itse. Daniel Hodadon, Bruce Major, Norman Katsakiores, Phyllis Lundgren, David Kappler, Lawrence McKinney, Betsy McMahon, Charles Matthews, Carolyn Manning, John O'Connor, John Osborne, Jason Milz, David Nigrello, Robert Prudhomme-O'Brien, Katherine Potucek, John Packard, Sherman Peckham, Michele Thomas, Douglas Tasker, Kyle Rice, Frederick Sytek, John Tucker, Pamela True, Chris Ward, Joanne Tilton, Rio Woitkun, Steven Weyler, Kenneth Webb, James Welch, David

STRAFFORD

DeLemus, Susan Cheney, Catherine Beaudoin, Steven Bickford, David Graham, Robert Gray, James Groen, Warren DiSesa, Len Kaczynski, Jr., Thomas Leeman, Don Jones, Laura Hannon, Joseph Turcotte, Leonard Wuelper, Kurt Mullen, John Pitre, Joseph

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

and floor amendment (0447h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (0479h).

Floor Amendment (0479h)

Amend the bill by replacing section 15 with the following:

15 Provision for Federal Identification Database Prohibited. RSA 260:14-a is repealed and reenacted to read as follows:

260:14-a Provision for Federal Identification Database Prohibited. The department shall not provide any motor vehicle driver's license, license plate, or identification card data to any agency or contractor of the federal government or another state or territory, or any provider of interstate license or identification messaging services, for use in compiling or creating "pointers" to or indexes of information concerning drivers' licenses, identification cards, or license plates. The department shall not provide any information concerning drivers' licenses, identification cards, or license plates except on a case-by-case basis for a named individual or specific license plate number in response

to a request which includes the purpose of the request, the name of the agency or contractor which originated the request, and a unique identifier for the individual requester at that agency or contractor. Such information shall be provided only for purposes related to issuance or validity. The department shall report on its website by March 1 of each year beginning in 2017 the numbers of such requests, the numbers of records disclosed in response to them, the agencies making such requests and receiving records in response, and the purposes of these requests. Rep. Kurk spoke in favor and yielded to questions.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that his question and the answer by Rep. Kurk, during the debate on HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

CLERK'S NOTE

The entire debate on HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law, was voted to be printed and appears later in this Journal.

The question now being adoption of floor amendment (0479h).

On a division vote, with 204 members having voted in the affirmative and 113 in the negative, floor amendment (0479h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. True spoke against and yielded to questions.

INTRODUCTION OF SPECIAL GUESTS

The 2016 class of Leadership New Hampshire, guests of the House.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Steven Smith spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Ammon moved that HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law, be laid on the table. Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 67 NAYS 254

Hogan, Edith

Murphy, Keith

Schleien, Eric

Edwards, Elizabeth

Christiansen, Lars

Ferreira, Elizabeth

Hopper, Gary

Notter, Jeanine

Sullivan, Victoria

		YEAS - 67		
	BELKNAP			
Aldrich, Glen Sylvia, Michael	Gallagher, Brian	LeBreche, Shari	Spanos, Peter	
		CARROLL		
Avellani, Lino	Comeau, Ed			
	(CHESHIRE		
McConnell, James	Tilton, Benjamin			
		COOS		
Rideout, Leon				
		GRAFTON		
Hull, Robert	Ingbretson, Paul	Johnson, Eric		
	HIL	LSBOROUGH		
Adams, Christopher	Ammon, Keith	Burt, John	Christiansen La	

Edelblut, Frank

Sanborn, Laurie

Gould, Linda

Moore, Josh

Christie, Rick

Fromuth, Bart

Lachance, Joseph

Parison, James

MERRIMACK

Hoell, J.R. Long, Douglas Hill. Gregory Brewster, Michael McGuire, Dan McGuire, Carol ROCKINGHAM Chirichiello, Brian Chase, Francis Baldasaro, Alfred Abramson, Max Emerick, J. Tracy Gannon, William Elliott, Robert Cook, Allen Kappler, Lawrence Itse, Daniel Green, Dennis Harris, Jeffrey True, Chris Tasker, Kyle Osborne, Jason Lundgren, David Webb, James Tucker, Pamela STRAFFORD Graham, Robert Cheney, Catherine DeLemus, Susan Beaudoin, Steven Kaczynski, Jr., Thomas Jones, Laura Hannon, Joseph Groen, Warren Turcotte, Leonard Wuelper, Kurt **NAYS - 254** BELKNAP Fraser, Valerie Flanders, Donald Fields, Dennis Dumais, Russell Vadney, Herbert Tilton, Franklin Luther, Robert CARROLL Cordelli, Glenn Chandler, Gene Butler, Edward Buco, Thomas Schmidt, Stephen Parker, Harold McConkey, Mark McCarthy, Frank Umberger, Karen Wright, Ted Ticehurst, Susan **CHESHIRE** Berch, Paul Bordenet, John Ames, Richard Abbott, Michael Ley, Douglas Eaton, Daniel Hunt, John Chase, Cynthia Phillips, Larry Pearson, William Parkhurst, Henry Mann, John Shepardson, Marjorie Sad. Tara Robertson, Timothy Roberts, Kris Tatro, Bruce Weber, Lucy Sterling, Franklin COOS Moynihan, Wayne Rappaport, Laurence Hatch, William Fothergill, John Thomas, Yvonne Tholl, John Theberge, Robert Richardson, Herbert GRAFTON Bennett, Travis Cooney, Mary Almy, Susan Abel, Richard Gionet, Edmond Hennessey, Erin Ford, Susan Darrow, Stephen Maes, Kevin Ladd. Rick Higgins, Patricia Hennessey, Martha Shackett, Jeffrey Smith, Suzanne Massimilla, Linda Nordgren, Sharon Townsend, Charles White, Andrew Sykes, George HILLSBOROUGH Beaulieu, Jane Baroody, Benjamin Balcom, John Backus, Robert Booras, Efstathia Boehm, Ralph Biggie, Barbara Belanger, James Christensen, Chris Coffey, James Byron, Frank Brown, Pamela Danielson, David Cote, David Cornell, Patricia Cohen, Alan Gagne, Larry Freitas, Mary Estevez. Eric DiSilvestro, Linda

Backus, Robert Balcom, Gelanger, James Biggie, Belanger, James Byron, From Cohen, Alan Cornell, Folisilvestro, Linda Estevez, Gidge, Kenneth Goley, Jehaefner, Robert Hansberr Heath, Mary Herbert, Gurk, Martin Kurk, Nei Long, Patrick Mangiput McCarthy, Peggy McLean, Ober, Russell Biggie, Biggie

Balcom, John
Biggie, Barbara
Byron, Frank
Cornell, Patricia
Estevez, Eric
Goley, Jeffrey
Hansberry, Daniel
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
McLean, Mark
Ohm, Bill

Baroody, Benjamin Boehm, Ralph Christensen, Chris Cote, David Freitas, Mary Gorman, Mary Hansen, Peter Hinch, Richard LeBrun, Donald Manley, Jonathan McNamara, Richard Palmer, Barry Beaulieu, Jane
Booras, Efstathia
Coffey, James
Danielson, David
Gagne, Larry
Guerette, C. Lee
Harvey, Suzanne
Infantine, William
Leishman, Peter
Martel, Andre
O'Brien, Michael
Pellegrino, Anthony

Peterson, Ken Rice, Kimberly Rowe, Robert Smith, Gregory Straight, Phillip Williams, Kermit Pierce, David Roberts, Carol Seidel, Carl Snow, Kendall Sullivan, Daniel Wolf, Terry

Porter, Marjorie Rosenwald, Cindy Shattuck, Gilman Soucy, Timothy Takesian, Charlene Woodbury, David Proulx, Mark Rouillard, Claire Shaw, Barbara Souza, Kathleen Ulery, Jordan

MERRIMACK

Bartlett, Christy Doherty, David French, Harold Horn, Werner Kuch, Bill Moffett, Howard Ratzki, Mario

Schuett, Dianne

Wallner, Mary Jane

Bradley, Paula Ebel, Karen Gile, Mary Karrick, David MacKay, James Myler, Mel Rice, Chip Seaworth, Brian Walsh, Thomas Carson, Clyde Frazer, June Henle, Paul Kenison, Linda Marple, Richard Parent, Jason Rogers, Katherine Shurtleff, Stephen

Deloge, Helen French, Barbara Hirsch, Geoffrey Kidder, David Martin, John Patten, Dick Saunderson, George Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Bates, David Cali-Pitts, Jacqueline DeSimone, Debra Fesh, Robert Griffin, Mary Hodgdon, Bruce Major, Norman McKinney, Betsy O'Connor, John Potucek, John Simpson, Alexis Ward, Gerald

Allen, Mary
Berrien, Skip
Cardon, G. Thomas
Devine, James
Francese, Paula
Guthrie, Joseph
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Ward, Joanne

Azarian, Gary
Borden, David
Christie, Andrew
Doucette, Fred
Gordon, Pamela
Hagan, Joseph
Introne, Robert
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Rice, Frederick
Thomas, Douglas
Welch, David

Barnes, Arthur Cahill, Michael Cushing, Robert Ferrante, Beverly Gordon, Richard Heffron, Frank Katsakiores, Phyllis McBeath, Rebecca Nigrello, Robert Peckham, Michele Sherman, Thomas Tilton, Rio Weyler, Kenneth

STRAFFORD

Baber, William Burton, Wayne Horrigan, Timothy Schmidt, Peter Sprague, Dale Wall, Janet

Woitkun, Steven

Berube, Roger Cilley, Jacalyn Leeman, Don Smith, Marjorie Stevens, Audrey Ward, Kenneth Bickford, David DiSesa, Len Mullen, John Southworth, Thomas Treleaven, Susan Bixby, Peter Gray, James Pitre, Joseph Spang, Judith Verschueren, James

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Laware, Thomas Smith, Steven Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

and the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Webb spoke against.

Rep. Packard spoke in favor and yielded to questions.

Rep. Leeman requested a roll call; sufficiently seconded.

YEAS 245 NAYS 76

YEAS - 245 BELKNAP

Dumais, Russell Luther, Robert Fields, Dennis Tilton, Franklin Flanders, Donald Vadney, Herbert

Gallagher, Brian

CARROLL

Buco, Thomas McCarthy, Frank Ticehurst, Susan

Butler, Edward McConkey, Mark Umberger, Karen Chandler, Gene Parker, Harold

Cordelli, Glenn Schmidt, Stephen

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Sterling, Franklin Ames, Richard Eaton, Daniel Parkhurst, Henry Robertson, Timothy Tatro, Bruce Berch, Paul Hunt, John Pearson, William Sad, Tara Weber, Lucy

Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie

COOS

Fothergill, John Richardson, Herbert

Hatch, William Theberge, Robert Moynihan, Wayne Tholi, John Rappaport, Laurence Thomas, Yvonne

GRAFTON

Abel, Richard Darrow, Stephen Hennessey, Martha Massimilla, Linda Sykes, George Almy, Susan Ford, Susan Higgins, Patricia Nordgren, Sharon Townsend, Charles Bennett, Travis Gionet, Edmond Ladd, Rick Shackett, Jeffrey White, Andrew Cooney, Mary Hennessey, Erin Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Backus, Robert Belanger, James Brown, Pamela Coffey, James Danielson, David Gidge, Kenneth Guerette, C. Lee Harvey, Suzanne Infantine, William Leishman, Peter McCarthy, Peggy Ohm, Bill Pierce, David Roberts, Carol Seidel, Carl Snow, Kendall Sullivan, Daniel Woodbury, David Balcom, John Biggie, Barbara Byron, Frank Cohen, Alan DiSilvestro, Linda Goley, Jeffrey Haefner, Robert Heath, Mary Jack, Martin Long, Patrick McLean, Mark Palmer, Barry Porter, Mariorie Rosenwald, Cindy Shattuck, Gilman Soucy, Timothy Takesian, Charlene

Baroody, Benjamin Boehm, Ralph Christensen, Chris Cornell, Patricia Freitas, Mary Gorman, Mary Hansberry, Daniel Herbert, Christopher Kurk, Neal Mangipudi, Latha McNamara, Richard Pellegrino, Anthony Proulx, Mark Rouillard, Claire Shaw, Barbara Souza, Kathleen Williams, Kermit

Beaulieu, Jane Booras, Efstathia Christiansen, Lars Cote, David Gagne, Larry Gould, Linda Hansen, Peter Hinch, Richard LeBrun, Donald Manley, Jonathan O'Brien, Michael Peterson, Ken Rice, Kimberly Rowe, Robert Smith, Gregory Straight, Phillip Wolf, Terry

MERRIMACK

Bartlett, Christy Doherty, David French, Harold Karrick, David Marple, Richard Patten, Dick Saunderson, George Wallner, Mary Jane

Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda Moffett, Howard Ratzki, Mario Schuett, Dianne Walsh, Thomas Carson, Clyde Frazer, June Hirsch, Geoffrey Kidder, David Myler, Mel Rice, Chip Shurtleff, Stephen

Deloge, Helen French, Barbara Horn, Werner MacKay, James Parent, Jason Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Bates, David Cali-Pitts, Jacqueline Allen, Mary Berrien, Skip Cardon, G. Thomas Azarian, Gary Borden, David Christie, Andrew Barnes, Arthur Cahill, Michael Cushing, Robert

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DeSimone, Debra Emerick, J. Tracy Griffin, Mary Hoelzel, Kathleen Manning, John McMahon, Charles Packard, Sherman Prudhomme-O'Brien, Katherine Sytek, John Ward, Joanne	Devine, James Fesh, Robert Guthrie, Joseph Introne, Robert Matthews, Carolyn Milz, David Pantelakos, Laura Rice, Frederick Thomas, Douglas Welch, David	Doucette, Fred Francese, Paula Hagan, Joseph Katsakiores, Phyllis McBeath, Rebecca Nigrello, Robert Peckham, Michele Sherman, Thomas Tilton, Rio Weyler, Kenneth	Elliott, Robert Gordon, Pamela Heffron, Frank Major, Norman McKinney, Betsy O'Connor, John Potucek, John Simpson, Alexis Ward, Gerald Woitkun, Steven
	ST	'RAFFORD	
Baber, William Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey Ward, Kenneth	Berube, Roger Cilley, Jacalyn Leeman, Don Southworth, Thomas Treleaven, Susan	Bickford, David DiSesa, Len Mullen, John Spang, Judith Verschueren, James	Bixby, Peter Gray, James Schmidt, Peter Sprague, Dale Wall, Janet
raid, Normour	S	ULLIVAN	
Cloutier, John Grenier, James Schmidt, Andrew	Converse, Larry Laware, Thomas Smith, Steven	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Rollins, Skip
	N	IAYS - 76	
	В	ELKNAP	
Aldrich, Glen Sylvia, Michael	Fraser, Valerie	LeBreche, Shari	Spanos, Peter
	C	ARROLL	
Avellani, Lino	Comeau, Ed	Wright, Ted	
	C	HESHIRE	
McConnell, James	Tilton, Benjamin		
		COOS	
Rideout, Leon		D A ECONI	
Hull Dobort		RAFTON	
Hull, Robert	Ingbretson, Paul	Johnson, Eric	
	HILL	SBOROUGH	
Adams, Christopher Eastman, Eric Ferreira, Elizabeth Lachance, Joseph Notter, Jeanine Schleien, Eric	Ammon, Keith Edelblut, Frank Fromuth, Bart Martel, Andre Ober, Russell Sullivan, Victoria	Burt, John Edwards, Elizabeth Hogan, Edith Moore, Josh Parison, James Ulery, Jordan	Christie, Rick Estevez, Eric Hopper, Gary Murphy, Keith Sanborn, Laurie
	ME	RRIMACK	
Brewster, Michael Long, Douglas Seaworth, Brian	Hill, Gregory Martin, John	Hoell, J.R. McGuire, Carol	Kuch, Bill McGuire, Dan
	ROC	CKINGHAM	
Abramson, Max Cook, Allen Green, Dennis Kappler, Lawrence	Baldasaro, Alfred Ferrante, Beverly Harris, Jeffrey Lundgren, David	Chase, Francis Gannon, William Hodgdon, Bruce Osborne, Jason	Chirichiello, Brian Gordon, Richard Itse, Daniel

Osborne, Jason

Webb, James

Tasker, Kyle

Kappler, Lawrence

True, Chris

Lundgren, David

Tucker, Pamela

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Pitre, Joseph Turcotte, Leonard Wuelper, Kurt

and the committee report was adopted and referred to the Committee on Ways and Means.

MOTION TO PRINT DEBATE

Rep. Ammon moved that the debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal. On a division vote, with 169 members having voted in the affirmative and 152 in the negative, the motion was adopted.

DEBATE ON HB 1616-FN

Speaker Jasper: The question is on the committee amendment, 0123h, printed in House Record 7, pages 42 to 43. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Ayes have it and the committee amendment is adopted. The bill is on second reading, open to further amendment. The Chair recognizes Representative Shurtleff who offers floor amendment 0447h and he is recognized to speak to his amendment.

Representative Shurtleff: Thank you, Mister Speaker. Mister Speaker, I move amendment 0447h. Speaker Jasper: You are recognized to speak to that.

Representative Shurtleff: Thank you, Mister Speaker. Mister Speaker, I rise to offer an amendment to this bill, which makes one simple change to the method by which an individual would choose to obtain or decline a license that is compliant with Real ID. To briefly explain, under current law when you apply for or renew a drivers' license, your image and social security number are kept in a database maintained by the Department of Safety unless you check a box on the application to state that you do not want the information retained. The committee passed a version of this bill that changes that process and instead gives people a number of options on what kind of a license they wish to acquire. The concern is that the method recommended by the committee will be confusing to individuals who don't understand the ins and outs of federal law and the consequences of not obtaining a compliant identification. As we know, individuals without compliant ID's will soon be unable to board an aircraft or enter federal buildings with a drivers' license or a non-driver ID. Without making the consequences of non-compliance clear, we run the very real risk of our constituents arriving at an airport for a very important flight who could be told that they are unable to board because their ID is insufficient. That's a risk that we don't want to take if it can be avoided, so that's why this amendment takes us back to the process we currently use for choosing whether to keep our image and social security number on file. If an individual does not want to comply with Real ID and not allow that information to be kept in the database, they can simply continue to check the box on the application form as they do today. So this amendment retains the exact same right to keep your personal information as exists under current law and under the committee passed version of the bill, but it does so in the most clear and understandable way as possible. As legislators, it's important for us to safeguard the privacy of our constituents, which we have done by allowing individuals the choice of either complying with Real ID or not, but whenever we can, we must make sure that we do not do so in a way that does not create unnecessary confusion, work or bureaucratic hassles. That is why I am offering this amendment, Mister Speaker. Thank you so much. Speaker Jasper: The Chair recognizes the member from Weare, Representative Kurk to speak against the floor amendment.

Representative Kurk: Thank you, Mister Speaker. As most of you know, New Hampshire has taken the position that we do not wish to participate in the Real ID Act because at one time the federal government was going to create a national database with all of our information in there, including information that you currently do not give to the DMV. The feds have since backed off of that position and now they want to have what's called a state-to-state database. We will talk about that later in a floor amendment, but I bring that up now because what the minority amendment does is to create an opt-out plan as opposed to the majority amendment, which we have just adopted, which is an optin. Under an opt-in, you have to make the decision as to whether or not you want to have a Real ID compliant license and then if you do that, you'll have to do the following things. You will have to submit a photo ID or a non-photo ID that includes your full legal name and birth date. You will have

to supply a certified copy of your birth certificate, which of course tells who your parents are, where you were born and so forth. You will have to provide documentation of your legal status and documentation of your social security number and documentation showing your name and your principal address. All of this documentation will be kept at the DMV for at least 7 years depending on whether it is an electronic or physical form. That's a lot of data about a lot of people that will be in the database if you adopt the minority's amendment as is before us. That information will not be in the database if we continue on with the amendment that we have adopted. The amendment that we have adopted is an opt-in so that information will only be in the database for people who want Real ID compliant licenses. New Hampshire tries to protect the privacy of its citizens and in doing so we want to collect the least possible amount of information in our motor vehicle department database. That's what the majority amendment does. The minority amendment takes the exact opposite position and I don't think that's the way we want to go. One other point. The amendment that we've just adopted talks about keeping the objection to Real ID and New Hampshire's non-participation in the Real ID Act, except to the extent individuals opt-in, then they have to comply with the Real ID Act. That's their decision. You don't want to get a passport? You don't want to go through the screening? In case some of you don't know it, you don't have to have any ID to go on an airplane, but it will take you a couple of hours to go through the screening process. If they want to have their passport, they can do that and don't have to go through Real ID or if they want to go through Real ID, they can do so. The majority amendment says we are not participating in the Real ID Act, except to the extent the individuals want to do so. The amendment before us, the minority amendment says we repeal New Hampshire's prohibition against Real ID, totally repealed, because that was in the bill as introduced in Section I. Their amendment only deals with Sections VI and I think VII so if you're concerned about citizen's privacy and you want to make sure that the least possible information goes into the state database and to the federal database, I urge you to vote no on this amendment. Thank you.

Speaker Jasper: The question is on the Shurtleff floor amendment, 0447h, which is in your seat pockets. Are you ready for the question? Roll call has been requested by Representative Shurtleff. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote and members will take their seats. The House will come to order. The question is on floor amendment 0447h. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

Representative Rosenwald: Thank you, Mister Speaker. If I know this amendment keeps the method used under current law to decline participation in Real ID, and if I know this amendment retains the exact same right to decline Real ID as the committee passed version, aka majority amendment, but it does so in a clear way that reduces the risk of an excited new grandmother being kept off an airplane when she doesn't realize that her drivers' license is wrong and she is trying to go to another state to visit a new grandchild and it reduces; if I know that it reduces the risk of someone making a long drive from the North Country to get to a social security office; Mister Speaker, if I believe it's our duty to protect the privacy of Granite Staters, but to do so in a transparent way that avoids creating unnecessary confusion and bureaucratic hurdles; Mister Speaker, would I then press the green button to adopt the floor amendment? Thank you.

Speaker Jasper: The question is on the floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Steven Smith for a parliamentary inquiry.

Representative Steven Smith: Thank you, Mister Speaker. If I know that New Hampshire's current policy of resisting Real ID was overwhelmingly bipartisan, sponsored by some current members of the leadership in both parties and many of the minority party and signed by Governor Lynch, and if I know that this floor amendment effectively flips that policy on its head by saying that our default position will be, eh okay, go ahead, Real ID is fine so do that without a public hearing, as may occur in another venue, would I resist this, maintain New Hampshire's current policy and keep the respect for New Hampshire's policy on Real ID by pressing the read button? Thank you. Speaker Jasper: The question is on the Shurtleff floor amendment. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 127 votes in the affirmative and 190 in the negative, the floor amendment fails. The bill is on second reading and open to further amendment. The Chair recognizes Representative Kurk, who offers floor amendment 0479h in your seat pockets. Representative Kurk is recognized to speak to his floor amendment.

Representative Kurk: Thank you, Mister Speaker and I thank the members for their strong support of the committee version of this bill. This amendment further secures the privacy of our documents. It basically says that we will not contribute any information to the state-to-state system which is what the federal government is proposing that we do in order to become Real ID compliant and it says that in very firm and strong language. I'll be candid with you. We need to change some of this at some later date in the process as we deal with the folks at the Department of Motor Vehicles to make sure that this language will be consistent with our present operations with respect to commercial drivers' licenses and a couple of other systems dealing with drivers' licenses. The purpose of this amendment, which I ask that you support, is to give us a strong negotiating position with the DMV folks and the Department of Homeland Security folks with whom we are trying to negotiate to understand what we must have in order to be compliant for those citizens who choose to opt for Real ID compliant licenses. So, while this may change, and I indeed will hope it changes during the course of the bill going forward in the process, at this time in the process, the House should take a strong position in favor of protecting privacy of individual records. Thank you, Mister Speaker. Speaker Jasper: Does the member yield to questions? Representative Shurtleff, you may inquire. Representative Shurtleff: Thank you, Mister Speaker and I thank my friend from Weare for taking my question. Would you agree with me that there are possibilities of maybe some flaws in the amendment? And, as this amendment, if it is approved, goes through the system, it should be vetted for unforeseen consequences that could be in the amendment?

Representative Kurk: Absolutely and I will work to make sure that those, if there are any unintended consequences, do not happen.

Representative Shurtleff: Mister Speaker, could I request that the dialogue between myself and the gentleman from Weare be placed in the Permanent Journal?

Speaker Jasper: Without objection, so ordered. The question is on the Kurk floor amendment. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt; the House will divide so this will be a division vote. Members who are presently in the Hall only. Everyone should be in their seats. The question is on the Kurk floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 204 votes in the affirmative, 113 in the negative, the floor amendment is adopted. The question is on the committee report of Ought to Pass with amendment on HB 1616. The Chair recognizes Representative True from Sandown to speak against the committee report.

Representative True: Thank you, Mister Speaker. Mister Speaker, I rise in opposition to the committee report of Ought to Pass on HB 1616, Real ID. In 2007, the State of New Hampshire passed a law saying that the state shall not comply with the federal ID, the federal Real ID, because it was contrary and repugnant to our state constitution and to the Constitution of the United States of America. Now, HB 1616 is before us and if passed will have our state comply with the wishes of the Department of Homeland Security. In the words of America's greatest singers and songwriters of all time, Frank Zappa, "Susie cream cheese, what's gotten into you?" Real ID is still contrary and repugnant to the constitution and that is why I oppose complying. In 1982, Nancy Reagan said, "Just say no." Today, I am asking all of you to say, to just vote no. It has been said that complying with Real ID is completely voluntary and for those who do not voluntarily agree, the federal government will hassle and harass any and all who will not willingly comply. Rather than giving in and passing legislation to implement Real ID in New Hampshire, we should be demanding that Congress repeal Real ID. Just vote no. The 10th amendment to the constitution says the federal government does not have the right to tell the states how to make up their state's identification and drivers' licenses. Some people have said there is really nothing we can do, that you can't fight city hall and you can't fight the government and that if we do not give in to the federal government, the federal government will make it very inconvenient for our citizens. Live free or die in convenience is not the greatest of evils. Many people have asked me, "Christopher, Christopher, Christopher, why are you making such a big deal on such a small issue?" I say that taking a stand, making a stand and shouting that the constitution must be followed is not a small issue. In closing, I quote from a great American actor and humorist, Danny Thomas. It might have been Marlo Thomas. It could have been Thomas' English Muffins, but I know it was one of the Thomas'. "I will not go gentle into that good night. I will rage against the dying of the light." Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? House will be in order. No show of emotion. Representative Itse, you may inquire.

Representative Itse: Thank you, Mister Speaker. Thank you to the member from Sandown, which I used to represent, for taking my question. Would you agree with Benjamin Franklin that those who would give up essential liberty in exchange for security deserve neither?

Representative True: A wise man and I agree with that statement 100%.

Speaker Jasper: The Chair recognizes the member from Charlestown, Representative Steven Smith to speak in favor of the committee report.

Representative Steven Smith: Thank you, Mister Speaker. It is with no joy, but firm resolve that I rise in support of HB 1616. It's the right thing to do. My colleague from Sandown said you can't fight city hall. Well of course you can. Is Real ID repugnant? Of course it is; that's why we left the language in there as a bipartisan policy of the State of New Hampshire. What are you going to do about it though? We are not going to repeal Real ID. We are New Hampshire State Representatives. We are not Congress. You want to have that fight? Despite my support for this bill, I will have that fight, but I got to ask are you serious? When have you gone to Senator Ayotte's office, Senator Shaheen's office, Kuster or Guinta to tell them to get it repealed? Being a small state, have you lobbied the Senator's and Congressmen from other states to do the same thing? I apologize for what I'm about to say, but what I hear a lot is statements about what we don't like, Facebook wars, and no action. We are here today to serve our constituents, and I don't know about you, but I will not hold my constituents hostage to make some kind of political point. I am here to let them live free. Why should I make this decision for them? I'm supposed to give them the framework under which they live, something that's fair, something that allows them to choose their own destiny. HB 1616 does that. You want to fight Real ID? Pass HB 1616 and tell all your constituents to go down and get a non-compliant license. Even better, do you know how easy that is? Under HB 1616, you know what you have to do to not comply with Real ID? Nothing. When your license is renewed, it will say not valid for federal ID unless you have specifically chosen to participate in the program. I submit this to you, that will either happen and then you can go to our Senators or the rest of our federal delegation and go, look an overwhelming majority of the people in New Hampshire refuse to participate in this system and we want action or you find out you were wrong. Either way, you want to have the fight? We are giving you the venue to have that fight. We are giving you real results to go out and make your point or not, but don't sit here and say you just don't like it so we are going to dig our heels in. Normally, when you don't feel good about a bill, and I'll tell you I don't feel good about a bill. I am firmly convinced it's the right thing to do. We had hearings. We were respectful of the state's bipartisan position on this. We tried to accommodate all that, but normally you can go, I don't really feel good about this so I can always press the red button and life will go on as it did before. I am sorry, but you do not have that option today. Life is going to change and you are going to choose one path with the green button, one path with the red button, but the Federal Congress has said life is not going to go on the way it did today. So here's your choices and I'll leave it up to you to choose which one you do. You can choose a system that requires your wives, sisters, girlfriends and mothers to go through an enhanced security screening, which I've been through. When I tried to get into the Federal Capital Building and they took my belt and my boots in front of my kids before I went in, you can tell your constituents to make your point they have to go through that or put all of their information in a federal database when they apply for their passport or we can be New Hampshire Legislators and give them a local option that says you don't want to play. You really want to make a family decision to make that sacrifice, go ahead, we support you or no, I don't want my grandmother to go through that and I'm going to, for no extra money, agree to get the compliant license. Let them make that decision. It's their family. An aside benefit of this bill, if I can lighten it up a little bit, sorry for being so heavy, is if the only place you want to go is Canada or Mexico. Right now you have to get a passport. That's a burden for families. It's like, what, \$90 to \$100 a head? One of the third options in this bill is you can pay \$30 extra and get a card that will allow you to go see your friends and relatives in Canada, which is cheaper, and that has nothing to do with the other options so support Real ID, don't support Real ID. You want to fight Real ID? You all have my contact information. Let's go do it, but take this option away from your constituents to make a grand political statement? Please support the committee report. Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? Representative Murphy, you may inquire.

Representative Murphy: Thank you, Mister Speaker. Thank you for taking the question. My understanding is that New York, Montana, Missouri and Louisiana are also non-Real ID compliant. Do you really believe that the Federal Government will make the 20-odd million people who live in New York State go through this screening to get on airplanes?

Representative Steven Smith: Well, I hope so. New York, I'm glad you brought up has a special problem because New Hampshire's done a very good job of knowing who we've given licenses to and who we haven't. New York has a special problem because they're not quite as sure as we are, but do I think that they are going to go through with it anyway? Yes I do. On October 15th of 2015, non-compliant ID's were stopped being accepted at some federal facilities. The program is being rolled out. So having watched them phase this out and be implemented, regardless of where you are from, yeah, I think they are going to do it.

Speaker Jasper: Does the member yield to a further question? Representative Itse, you may inquire. Representative Itse: Thank you, Mister Speaker. Thank you for taking my question. Would you believe that while you said that we in the chamber can't thwart the federal government, but that the entire no Real ID movement began right here in this chamber in 2006, when we voted with near unanimity to say no Real ID and then it failed in the chamber, which is not to be mentioned, after pressure from our federal delegation? But then, in the next term, it passed...

Speaker Jasper: Representative. Will the member... Representative Itse: This is a would you believe.

Speaker Jasper: Well, then say so.

Representative Itse: But, then it passed in Maine and then it passed here and then it took fire across the states and yes, would you believe that this chamber can thwart the federal government? Representative Steven Smith: No, because despite the unanimous support, well in this chamber almost unanimous, and I hear there's someplace beyond the wall where it was unanimous and signed by Governor Lynch. HB 685, yes, sponsored by the gentleman from Weare, the gentlelady from Lebanon, former Senator Peter Burling. Yeah, we did that, and what happened? In October of 2015, New Hampshire IDs stopped being accepted. You fought and you lost and the way to win this fight is to get the people behind us, not just make speeches. Go out and do the work. Tell them to get the regular ID and that's what will let us fight this, having a significant portion of the population that doesn't want to play. That's the tool we need. This gives them the option and lets the families make their own decision.

Speaker Jasper: Does the member yield to a further question? Representative White, you may inquire. Representative White: Thank you, Mister Speaker. Thank you, Representative. Representative, would it surprise you to know that on October 20, 2015 when I arrived at the National Fire Academy, that I was not permitted on the grounds with my New Hampshire identification? That I had to, in fact, present a United States passport to be allowed entry to that facility? Would that surprise you? Representative Steven Smith: Thank you for the question. No, it would not and we are trying to pass this so that people can make their own family decision about how they want to deal with that. Speaker Jasper: The Chair recognizes Representative Ammon for a parliamentary inquiry.

Representative Ammon: Thank you, Mister Speaker. Mister Speaker is today the last day for early bills and would it require a two-third majority to remove a bill from the table after today?

Speaker Jasper: Today is a deadline so if a bill were to be laid on the table, after the deadline it could removed by a simple majority, however, for the bill to pass it would require a two-thirds vote after today. Representative Ammon: Mister Speaker, would a motion to table be in order at this moment?

Speaker Jasper: It would be in order.

Representative Ammon: I would like to make a motion to table and I ask for a division vote. Speaker Jasper: Roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The House will come to order. The question is on the tabling motion on HB 1616. The Chair recognizes Representative Ammon for a parliamentary inquiry.

Representative Ammon: Thank you, Mister Speaker. Mister Speaker, if I know that the deadline for Real ID has been changed to the year 2018 and even the year 2020 since this bill was written and this is according to the Department of Homeland Security in the beginning of January, and if I know it is none of the federal government's business what we put on our licenses because this is a state purview? And, if I also know that this is the camel's nose under the tent and that even amendments offered in this very chamber today seek to move the goalpost and that eventually this will be mandatory? If I know that, would I then press the green button to table this bill?

Speaker Jasper: Question is on the tabling motion on HB 1616. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

Representative Packard: Thank you, Mister Speaker. If I know there is still a lot more debate to go on this bill and that the members deserve to hear that debate? If I know that if we table this bill at this point, we will be adversely affecting hundreds of thousands of our citizens and if I know that tabling this bill is just plain irresponsible at this point, would I now press the red button so we can continue the debate and have a vote on this bill as we should have?

Speaker Jasper: The question is on the tabling motion on HB 1616. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 67 votes in the affirmative, 254 in the negative, the motion fails. There are only two speakers left on this debate. The Chair recognizes the member from Derry, Representative Webb, to speak against the committee report. Representative Webb: Thank you, Mister Speaker. I rise in opposition to the committee report for many reasons. For the start, we have been opposed to this bill, to this type of government trying to get us to do it for 10 years. We are not alone in this battle. There are 28 other states that have been fighting this as well so it's not just in New Hampshire. This is basically the beginning of a national ID card. It says in this bill that it's voluntary. Well, as you know as well as I do, anything that's voluntary sooner or later becomes mandatory. As well as if you look at the actual cost of this in the fiscal note on the bill. This is not an inexpensive venture that we're going through. We are basically changing our entire system of the drivers' licenses so they can make it so we have this mandatory or national ID card. I was going to say a few other things, but as people spoke on this bill, I came up with a couple of things and I circled and wrote what they said. I heard things like they are worried about protecting the Granite State people's right and all that. I heard that we can't freeze this, which is totally wrong. I also heard that this is a process and that's absolutely right, it is a process. This process is the process of putting us into this national database and New Hampshire has prided itself on not allowing license plate scanners. That was one that we fought and we actually won that one. There is some other things that we try to fight, but unfortunately we didn't do so well. People changed their minds and the bills had gotten passed, you know, but for the most part when it says optional, it's not. I have an employee badge at work and it has this ID on it and they are able to get information on it, everything there transmits right off my badge to the computers at work and it's 10 years old, so it's 10 year old technology. I don't know what we are going to be putting in these licenses with these national ID cards, but it's no better than tattooing a number on you like the Nazis did during the war. I mean they are going to give us a national ID number. Our licenses are going to be put in there with all this information. It is going to be stored and you know eventually it will become mandatory; it's not going to be optional. The people that want this or want to buy this license with this enhanced ID, well that's great but everybody else is paying for it. Nobody is looking at that portion of it. They want us, the people that don't want it, are going to end up paying for it because the whole system has to be changed to put it in there. From what I understand, it has been pushed out anyway even further, as one of the previous speakers said so I would encourage you to please vote against the committee report and Mister Speaker, I would like a division vote please. Thank you.

Speaker Jasper: The Chair recognizes the final speaker of the debate, the member from Londonderry, Representative Packard, to speak in favor of the committee report.

Representative Packard: Thank you, Mister Speaker. I'm going to try and be as short as possible, but there are some things I feel we have to cover. I'm going to give you a brief history of Real ID. This was passed back in 2005, introduced by a conservative Republican Congressman, James Sensenbrenner from Wisconsin. It was signed into law by President Bush because of the 9/11 Commission Report. I want to try and correct some fallacies out there. The gold card that some of you got yesterday has some tremendous inaccuracies. It says the Federal Real ID Act establishes a national identification card and requires the identification to allow photos and social security numbers to be held in government databases. The only government database that it is held in is the New Hampshire database and you have to give that to get your current license. If you wish to have your social security number and your photo redacted from the system, you can do that. You will continue to be able to do that. Currently, 3% of our population that have drivers' licenses have opted to have their pictures taken out, 3%, 97%

have not. Under social security numbers, it's between 8-9% that have asked to have their social security numbers taken out of the system so over 90% of our citizens have said they are not worried about our state system. It says currently 28 states do not comply with Real ID, again, false. Twenty-three states completely comply. All except 4 states are in the process of complying. The current licenses you have, have 2 features of security on it. Starting January 1st we entered into a new contract. I don't know who the contractor is; who makes our licenses. It will have all 3 security features in it whether you're Real ID, you're not Real ID, whether we pass this bill or we don't pass this bill. It will have 3 security features in it. That is acceptable as a Real ID license. The only thing that we are really asking you in this bill that has to retain in the state system is your social security number and your picture. If you don't want it retained in the system, you take it out; you get a non-Real ID compliant license. That's it. This fantasy about a national identification card is just that, fantasy. It does not exist. It will not exist. This legislature wouldn't let it exist if it came to that and I would be one of the first ones up here saying hell no. For those of you who were here back in, what 2007, I think it was, 2006. It was about 9:00 at night. I was the Chairman of the Transportation Committee and we were discussing Real ID and I thought it was a little premature to move forward and just say we were going to say hell no and my dear friend from Weare got up and said, "I'm going to fire a shot across the bow." Well that shot, for those of you who were here, blew my ship up. That bill passed overwhelmingly; it got overturned. Ladies and gentlemen, this is for our citizens. Stop and think about this. Less than 45% of the people of New Hampshire have passports. So we are talking about 650 to 700,000 of our citizens that do not have passports, going on the national average. Could be a little more; could be a little less. So what we are telling our citizens is, and it was made reference to before, grandma and grandpa want to go see, which I am one, want to go see their new grandchild out in California or Texas or someplace like this and they don't have a Real ID license. Now they're going to have to go through hell at the airports just to get on the plane and all they want to do is go see their new grandchild. Family of 4 wants to go to Disneyland so now they got to go out and buy passports, \$6-7-\$800 more just so they can go to Disneyland for the week. It doesn't make any sense. This bill is 100% opt in. If you don't want to do it, you don't have to do it, but let's give our citizens the chance to do it. That's all we're asking. I'm sure I have enough faith in the Department of Safety that they will come up with a good enough system to make people realize the consequences of not acting or acting and getting into the system. Let's talk about numbers for a little bit. Let's just say, and I'm using a low number, 250,000 of our citizens have to go out and buy passports now because we decide now not to allow them the option of getting into Real ID. Figure it out at \$90-\$150 a passport that comes over to \$25 million. So, if you vote against this bill, you're probably voting to put a tax on our citizens of \$25 to \$30 million. Do you want that on your head? It's on your head, not on mine. I am strongly supporting the idea of giving our citizens the option of getting into the Real ID system and that's what this bill does. I urge you to support the committee report of Ought to Pass as Amended. Thank you.

Speaker Jasper: Does the member yield for questions? Member yields. Representative Ohm, you may inquire.

Representative Ohm: Thank you, Mister Speaker. I thank the Representative for taking my question. My understanding is that we now have additional privacy protections in Representative Kurk's floor amendment. Would you suggest that I ask my colleagues to join me in pressing the green button? Representative Packard: I would strongly suggest that you ask your colleagues to join us in pressing the green button and between the committee amendment and Representative Kurk's amendment; we have ample security in there.

Representative Ohm: Thank you.

Speaker Jasper: Does the member yield to further questions? The member does not yield. Representative Leeman has requested a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members will take their seats. House will come to order. Members should be in their seats. The question is on the committee report on HB 1616 as amended. The Chair recognizes Representative Burt for a parliamentary inquiry.

Representative Burt: Thank you, Mister Speaker. My voice is almost back.

Speaker Jasper: I should bring them to order, however.

Representative Burt: Mister Speaker, if I know the fine Representative from Weare fought and killed Real ID in 2006 or 2007 to protect our privacy and if I further know that the fine Representative from Dunbarton and I flew out of the Manchester/Boston Regional airport using our State Representative ID card, which looks like we made it in our basement, and that is true? And lastly,

Mister Speaker, if I know this House should always protect our privacy and vote these bills down as we will be able to still fly? Let me repeat, we will still be able to fly after 2018 and 2020 with just a few extra minutes at check in time using our regular licenses, which I am happy to take the few extra minutes to protect our privacy.

Speaker Jasper: That's a question?

Representative Burt: Yes. Would I now vote no and push my favorite color, Mister Speaker, the red button? Thank you, Mister Speaker.

Speaker Jasper: The question is on the adoption of the committee report on HB 1616. If you are in favor; you will press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

Representative Packard: Thank you, Mister Speaker. If I know that this does not create a national database or a national ID card and if I know that this is completely 100% voluntary? If I know I am not willing at this time to commit our citizens to have to spend up to 2 to 3 hours extra in some airports just to board an airplane when it's unnecessary, would I now press the green button and support the committee report? Thank you, Mister Speaker.

Speaker Jasper: The question is on the adoption of the committee report on HB 1616, as amended. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 245 votes in the affirmative, 76 in the negative, the committee report is adopted. Under the Rules of the House the bill is referred to the Committee on Ways and Means. For what purpose does the member rise? Representative Ammon: Thank you, Mister Speaker. I request that the remarks on the previous debate be entered into the Permanent Journal. I think it's important for the future.

Speaker Jasper: The motion is on printing the debate on HB 1616 in the Permanent Journal. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt. The House will divide. Only members in the Hall. Members should be in their seats. If you are in favor of printing the remarks in the Journal, you will push the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 169 votes in the affirmative and 152 in the negative, the motion is adopted.

REGULAR CALENDAR CONT'D

HB 668-FN, relative to expense deductions under the business profits tax. INEXPEDIENT TO LEGISLATE.

Rep. Brian Gallagher for Ways and Means. This bill allows a business organization to calculate increased expense deductions as defined by IRS code section 179, but not to exceed \$100,000, per calendar year under the Business Profits Tax. Testimony was received from CPA firms and the Department of Revenue Administration that the impact to business would be very difficult to measure. The additional concern expressed by accounting firms was that few businesses could potentially be economically impacted. The Department of Resources and Economic Development suggested that many business entities would not take advantage of the opportunity and that this incentive would not significantly impact important business decision making. Vote 19-0.

Rep. Abrami spoke against and yielded to questions.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 134 NAYS 168

YEAS - 134 CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	
		CHESHIRE	
Abbott, Michael	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Sad. Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	,

COOS

		COOS	
Hatch, William	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Hull, Robert
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	
5 , 5 , 2 50. 3 5	,	SBOROUGH	
Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Infantine, William	Jack, Martin	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Williams, Kermit	Wolf, Terry	Woodbury, David	
	ME	CRRIMACK	
Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Henle, Paul	Hirsch, Geoffrey
Horn, Werner	Karrick, David	Kenison, Linda	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	
	RO	CKINGHAM	
Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Fesh, Robert
Francese, Paula	Gordon, Pamela	Gordon, Richard	Heffron, Frank
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	Woitkun, Steven
	ST	RAFFORD	
Baber, William	Berube, Roger	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth	,	
	S	ULLIVAN	
Cloutier, John Schmidt, Andrew	Converse, Larry	Gottling, Suzanne	Oxenham, Lee
	N	IAYS - 168	
	H	BELKNAP	
Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
	(CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		
	C	CHESHIRE	
Ames, Richard	Hunt, John	McConnell, James	Tilton, Benjamin

		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholi, John
	G	RAFTON	
Darrow, Stephen Ladd, Rick	Gionet, Edmond Shackett, Jeffrey	Ingbretson, Paul	Johnson, Eric
	HILL	SBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris Edelblut, Frank Gagne, Larry Hinch, Richard Lachance, Joseph Moore, Josh Ober, Russell Pellegrino, Anthony Rouillard, Claire Seidel, Carl	Ammon, Keith Boehm, Ralph Christie, Rick Estevez, Eric Gidge, Kenneth Hogan, Edith LeBrun, Donald Murphy, Keith Ohm, Bill Peterson, Ken Rowe, Robert Souza, Kathleen	Balcom, John Burt, John Coffey, James Ferreira, Elizabeth Gould, Linda Hopper, Gary McCarthy, Peggy Notter, Jeanine Palmer, Barry Pierce, David Sanborn, Laurie Straight, Phillip	Belanger, James Byron, Frank Danielson, David Fromuth, Bart Haefner, Robert Kurk, Neal McLean, Mark Ober, Lynne Parison, James Proulx, Mark Schleien, Eric Sullivan, Victoria
Takesian, Charlene	Ulery, Jordan		
		RRIMACK	
Brewster, Michael Long, Douglas McGuire, Dan	Hill, Gregory Marple, Richard Parent, Jason	Hoell, J.R. Martin, John Seaworth, Brian	Kuch, Bill McGuire, Carol
	ROC	KINGHAM	
Abrami, Patrick Baldasaro, Alfred Christie, Andrew Doucette, Fred Gannon, William Hagan, Joseph Introne, Robert Lundgren, David Milz, David Peckham, Michele Sytek, John True, Chris Welch, David	Abramson, Max Bates, David Cook, Allen Elliott, Robert Green, Dennis Harris, Jeffrey Itse, Daniel Major, Norman Nigrello, Robert Potucek, John Tasker, Kyle Tucker, Pamela Weyler, Kenneth	Allen, Mary Chase, Francis DeSimone, Debra Emerick, J. Tracy Griffin, Mary Hodgdon, Bruce Kappler, Lawrence Manning, John O'Connor, John Prudhomme-O'Brien, Katherine Thomas, Douglas Ward, Joanne	Azarian, Gary Chirichiello, Brian Devine, James Ferrante, Beverly Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Osborne, Jason Rice, Frederick Tilton, Rio Webb, James
	STI	RAFFORD	
Beaudoin, Steven DeLemus, Susan Hannon, Joseph Mullen, John Wuelper, Kurt	Bickford, David Graham, Robert Jones, Laura Pitre, Joseph	Bixby, Peter Gray, James Kaczynski, Jr., Thomas Sprague, Dale	Cheney, Catherine Groen, Warren Leeman, Don Turcotte, Leonard

SULLIVAN

Rollins, Skip

Gagnon, Raymond Grenier, James Laware, Thomas and the committee report failed.

Rep. Abrami moved Ought to Pass and offered floor amendment (0464h).

Floor Amendment (0464h)

Amend the bill by replacing all after section 1 with the following:

- 2 Applicability. This act shall apply for tax periods beginning January 1, 2017.
- 3 Effective Date. This act shall take effect January 1, 2017. Rep. Abrami spoke in favor.

Floor amendment (0464h) adopted.

Motion of Ought to Pass with Amendment adopted and referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Major, Chairman of the Committee on Ways and Means, under the provisions of House Rule 46 (f), declined the referral of **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law.

REGULAR CALENDAR CONT'D

HB 1184-FN, relative to license fees for domestic wine manufacturers. INEXPEDIENT TO LEGISLATE.

Rep. Richard Abel for Commerce and Consumer Affairs. The bill sought to modify the license fee schedule for domestic (New Hampshire) wine manufacturers to increase the number of cases of wine that could be produced at the minimum annual license fee of \$100, from 1,000 to 10,000 cases per year. However, testimony revealed that wine manufacturers already enjoy the lowest licensing fees of all classes of alcoholic beverages. They pay less than one-half of the lowest license fees required for manufacturers of beer, liquor, and rectifiers. The Legislative Budget Assistant determined that this legislation, as introduced, creates a negative impact on state revenues in each of the fiscal years 2015 through 2020. A bipartisan majority concluded that wine manufacturers already receive encouragement to grow their industry from current license fees and the present schedule should be preserved as is. Vote 15-4.

HB 1207-FN, exempting wine sample fees from the meals and rooms tax. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. Last year, legislation passed enabling beer, wine and distilled liquor manufacturers to charge for samples, which they had never been able to do before. Everyone understood at the time that any charge for samples would be susceptible to the Rooms and Meals tax. This is similar to brew pubs, who not only pay the beer tax, but also the Rooms and Meals tax when serving customers. The committee felt it would be unfair to exempt sampling when everybody else has to collect the tax. If the beverage and liquor manufacturers continue to give the samples away for free as they have in the past, then there would be no tax. Vote 14-5. Rep. Pamela Tucker for the Minority of Commerce and Consumer Affairs. This bill eliminates the taxation of wine samples. A sample is designed to entice the buyer into a larger purchase and create more sales and tax revenue. Our wine manufacturers, who already pay a tax on the wine produced, whether sold or sampled at a nominal cost, have to collect a tax on the small samples they pour. This creates more reporting and increases the cost of doing business. The minority felt that the double taxation on wine samples creates a disincentive for their sale and will not create the additional revenue the sample was intended to produce.

HB 1368-FN, requiring firearms owners to have liability insurance. INEXPEDIENT TO LEGISLATE. Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill attempts to mandate that anyone who owns or purchases a firearm shall obtain a liability insurance policy. A majority of the committee felt that the bill should be found Inexpedient to Legislate because the mandated insurance is not currently available and, if it were, it would disproportionately affect those who are economically disadvantaged. This bill would create a de facto gun ban and self-defense ban on the poor. The committee received an overwhelming number of emails and personal testimony in opposition to this bill. The committee also noted that the state of New Hampshire does not require liability insurance to own or operate a motor vehicle upon a public way. Vote 20-1.

Rep. Burt requested a roll call; sufficiently seconded.

Majority committee report adopted.

YEAS 287 NAYS 22

YEAS - 287 BELKNAP

Aldrich, Glen Fraser, Valerie Spanos, Peter Dumais, Russell Gallagher, Brian Sylvia, Michael Fields, Dennis LeBreche, Shari Tilton, Franklin

Flanders, Donald Luther, Robert Vadney, Herbert

CARROLL

Avellani, Lino Comeau, Ed Schmidt, Stephen

Abbott, Michael Eaton, Daniel McConnell, James

Robertson, Timothy

Fothergill, John Rideout, Leon

Weber, Lucy

Almy, Susan Gionet, Edmond Ingbretson, Paul Massimilla, Linda Townsend, Charles

Adams, Christopher Baroody, Benjamin Booras, Efstathia Christiansen, Lars Cornell, Patricia Edelblut, Frank Freitas, Mary Goley, Jeffrey Haefner, Robert Heath, Mary Hopper, Gary Lachance, Joseph Manley, Jonathan Murphy, Keith Ober, Russell Pellegrino, Anthony Proulx, Mark Rouillard, Claire Seidel, Carl Soucy, Timothy

Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kenison, Linda Marple, Richard Moffett, Howard Saunderson, George Turcotte, Alan

Sullivan, Victoria

Wolf, Terry

Buco. Thomas Cordelli, Glenn Ticehurst, Susan

Ames, Richard

Parkhurst, Henry

Hatch, William

Theberge, Robert

Hunt, John

Sad, Tara

McCarthy, Frank Umberger, Karen CHESHIRE

Butler, Edward

Berch, Paul Lev. Douglas Pearson, William Shepardson, Marjorie

Mann, John Roberts, Kris Tilton, Benjamin

Chandler, Gene

McConkey, Mark

Bordenet, John

Richardson, Herbert

Thomas, Yvonne

Wright, Ted

COOS

Moynihan, Wayne Tholi, John

GRAFTON

Bennett, Travis Hennessey, Martha Johnson, Eric Shackett, Jeffrey White, Andrew

Darrow, Stephen Higgins, Patricia Ladd, Rick Smith, Suzanne

Ford, Susan Hull, Robert Maes, Kevin Sykes, George

HILLSBOROUGH

Ammon, Keith Backus, Robert Belanger, James Burt, John Byron, Frank Christie, Rick Coffey, James Cote, David Edwards, Elizabeth Estevez, Eric Fromuth, Bart Gagne, Larry Gorman, Mary Gould, Linda Hansberry, Daniel Hansen, Peter Herbert, Christopher Hinch, Richard Infantine, William Jack, Martin LeBrun, Donald McCarthy, Peggy McLean, Mark Notter, Jeanine Ohm. Bill Palmer, Barry Peterson, Ken Pierce, David Rice, Kimberly Roberts, Carol Rowe, Robert Sanborn, Laurie Shattuck, Gilman Shaw, Barbara Souza, Kathleen Straight, Phillip Takesian, Charlene Ulery, Jordan Woodbury, David

Balcom, John Biggie, Barbara Boehm, Ralph Christensen, Chris Cohen, Alan Danielson, David DiSilvestro, Linda Ferreira, Elizabeth Gidge, Kenneth Guerette, C. Lee Harvey, Suzanne Hogan, Edith Kurk, Neal Leishman, Peter Long, Patrick Moore, Josh O'Brien, Michael Ober, Lynne Parison, James Porter, Marjorie Rosenwald, Cindy Schleien, Eric Snow, Kendall Sullivan, Daniel Williams, Kermit

MERRIMACK

Brewster, Michael French, Harold Hoell, J.R. Kidder, David Martin, John Parent, Jason Schuett, Dianne Walsh, Thomas

Carson, Clyde Henle, Paul Horn, Werner Kuch, Bill McGuire, Carol Ratzki, Mario Seaworth, Brian Deloge, Helen Hill, Gregory Karrick, David Long, Douglas McGuire, Dan Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Cali-Pitts, Jacqueline Christie, Andrew Devine, James Ferrante, Beverly Gordon, Richard Hagan, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Rice, Frederick Tasker, Kyle Tucker, Pamela Weyler, Kenneth

Abramson, Max Allen, Mary Bates, David Barnes, Arthur Chase, Francis Cardon, G. Thomas Cushing, Robert Cook, Allen Elliott, Robert Doucette, Fred Francese, Paula Fesh. Robert Griffin, Mary Green, Dennis Heffron, Frank Harris, Jeffrey Itse. Daniel Introne, Robert Major, Norman Lundgren, David McMahon, Charles McKinney, Betsy Osborne, Jason O'Connor, John Potucek, John Peckham, Michele Sherman, Thomas Simpson, Alexis Tilton, Rio Thomas, Douglas Webb, James Ward, Joanne

Azarian, Gary Cahill, Michael Chirichiello, Brian DeSimone, Debra Emerick, J. Tracv Gannon, William Guthrie, Joseph Hodgdon, Bruce Kappler, Lawrence Manning, John Milz. David Packard, Sherman Prudhomme-O'Brien, Katherine Sytek, John True, Chris Welch, David

STRAFFORD

Baber, William Bixby, Peter Graham, Robert Jones, Laura Pitre, Joseph Spang, Judith Turcotte, Leonard Wuelper, Kurt

Beaudoin, Steven Cheney, Catherine Gray, James Kaczynski, Jr., Thomas Schmidt, Peter Sprague, Dale Verschueren, James

Woitkun, Steven

Berube, Roger DeLemus, Susan Groen, Warren Leeman, Don Smith, Marjorie Stevens, Audrey Wall, Janet

Bickford, David DiSesa, Len Hannon, Joseph Mullen, John Southworth, Thomas Treleaven, Susan Ward, Kenneth

SULLIVAN

Cloutier, John Grenier, James Smith, Steven

Converse, Larry Laware, Thomas Gagnon, Raymond Rollins, Skip

Gottling, Suzanne Schmidt, Andrew

NAYS - 22 CHESHIRE

Chase, Cynthia

Phillips, Larry

Tatro, Bruce

GRAFTON

Abel, Richard

Cooney, Mary

Nordgren, Sharon

HILLSBOROUGH

Beaulieu, Jane

Mangipudi, Latha

MERRIMACK

Bartlett, Christy

Berrien, Skip Ward, Gerald Doherty, David

MacKay, James

Myler, Mel

Rogers, Katherine

Wallner, Mary Jane

ROCKINGHAM Gordon, Pamela

McBeath, Rebecca

Borden, David

STRAFFORD

Horrigan, Timothy

SULLIVAN

Oxenham, Lee

Burton, Wayne

and the committee report was adopted.

HB 1444-FN-A, relative to the rate of the insurance premium tax. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. Donald Flanders for the Majority of Commerce and Consumer Affairs. This bill proposes a .75% tax increase on insurance companies. Currently, insurance companies pay a tax of 1.25% of premiums or the Business Enterprise Tax (BET) and Business Profit Tax (BPT), whichever is higher. They also contribute about \$15 million a year to pay the cost of the Insurance Department and the Labor Department's Worker Compensation Division. The premium tax rate was lowered after considerable discussion and deliberation in 2006 as an economic development initiative. It has helped create about 1,000 New Hampshire jobs and insurance employment should continue to increase. Raising the tax would not be helpful to our economy. Vote 11-7.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. The reduction in insurance premium tax when instituted in 2006 was projected to increase jobs and economic activity in our state. Some projected as many as 3,400 new jobs would be created with an over \$60 million increase to personal incomes. When the reduction was passed, there was also a requirement to produce an annual report on the number of jobs created through this initiative. Those reports have not shown the job increases projected. Indeed testimony was given that only 9 jobs had been reported recently. That statement was vehemently challenged. There are clearly strong opinions on both sides of whether this premium tax reduction has had its intended result. The minority believes that now is the time to get better, more comprehensive, data about the impact of this change on the state's economy.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Butler spoke against. Rep. Hunt spoke in favor.

Estevez, Eric

Rep. Sanborn requested a roll call; sufficiently seconded.

Ferreira, Elizabeth

YEAS 195 NAYS 114

YEAS - 195

	I	BELKNAP	
Aldrich, Glen Fraser, Valerie Spanos, Peter	Dumais, Russell Gallagher, Brian Sylvia, Michael	Fields, Dennis LeBreche, Shari Tilton, Franklin	Flanders, Donald Luther, Robert Vadney, Herbert
	(CARROLL	
Avellani, Lino McCarthy, Frank Wright, Ted	Chandler, Gene McConkey, Mark	Comeau, Ed Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	C	HESHIRE	
Ames, Richard Phillips, Larry	Bordenet, John Roberts, Kris	Hunt, John Tatro, Bruce	McConnell, James Tilton, Benjamin
		COOS	
Fothergill, John Thomas, Yvonne	Richardson, Herbert	Rideout, Leon	Tholl, John
	G	RAFTON	
Darrow, Stephen Johnson, Eric	Gionet, Edmond Ladd, Rick	Hull, Robert Massimilla, Linda	Ingbretson, Paul Shackett, Jeffrey
	HILL	SBOROUGH	
Adams, Christopher Belanger, James Byron, Frank Coffey, James	Ammon, Keith Biggie, Barbara Christensen, Chris Danielson, David	Balcom, John Boehm, Ralph Christiansen, Lars Eastman, Eric	Beaulieu, Jane Burt, John Christie, Rick Edelblut, Frank

Fromuth, Bart

Gagne, Larry

Gould, Linda Hogan, Edith Kurk, Neal McLean, Mark Ober, Lynne Parison, James Proulx, Mark Sanborn, Laurie Straight, Phillip Haefner, Robert Hopper, Gary Lachance, Joseph Moore, Josh Ober, Russell Pellegrino, Anthony Rice, Kimberly Schleien, Eric Sullivan, Victoria Hansen, Peter Infantine, William LeBrun, Donald Murphy, Keith Ohm, Bill Peterson, Ken Rouillard, Claire Seidel, Carl Takesian, Charlene Hinch, Richard Jack, Martin McCarthy, Peggy Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Souza, Kathleen Ulery, Jordan

MERRIMACK

Bradley, Paula Hill, Gregory Kuch, Bill McGuire, Carol Walsh, Thomas

Wolf, Terry

Brewster, Michael Ebel, Karen
Hoell, J.R. Hom, Werner
Long, Douglas Marple, Richard
McGuire, Dan Parent, Jason

French, Harold Kidder, David Martin, John Seaworth, Brian

ROCKINGHAM

Allen, Mary

Abrami, Patrick Baldasaro, Alfred Chase, Francis DeSimone, Debra Emerick, J. Tracy Gordon, Richard Hagan, Joseph Introne, Robert Lundgren, David McKinney, Betsy O'Connor, John Potucek, John Sytek, John True, Chris Welch, David Abramson, Max
Barnes, Arthur
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Tucker, Pamela

Bates, David Christie, Andrew Doucette, Fred Fesh, Robert Griffin, Mary Hodgdon, Bruce Kappler, Lawrence Manning, John Milz, David Packard, Sherman Rice, Frederick Thomas, Douglas Ward, Joanne Woitkun, Steven Azarian, Gary
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Gannon, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Sherman, Thomas
Tilton, Rio
Webb, James

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Pitre, Joseph Bickford, David Gray, James Kaczynski, Jr., Thomas Sprague, Dale

Weyler, Kenneth

Cheney, Catherine Groen, Warren Leeman, Don Turcotte, Leonard DeLemus, Susan Hannon, Joseph Mullen, John Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 114 CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Ley, Douglas Robertson, Timothy Berch, Paul Mann, John Sad, Tara Chase, Cynthia Parkhurst, Henry Shepardson, Marjorie Eaton, Daniel Pearson, William Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Nordgren, Sharon	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Booras, Efstathia	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
O'Brien, Michael	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Williams, Kermit	Woodhury David	occoy, runomy

MERRIMACK

Bartlett, Christy	Carson, Clyde	Deloge, Helen	Doherty, David
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	, = 1

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Francese, Paula	Gordon, Pamela	Heffron, Frank
McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall Janet	Ward Kenneth	•

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Oxenham, Lee	Schmidt, Andrew		3,

and the majority committee report was adopted.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 668-FN**, relative to expense deductions under the business profits tax.

REGULAR CALENDAR CONT'D

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses. OUGHT TO PASS WITH AMENDMENT.

Rep. Edward Butler for Commerce and Consumer Affairs. As most House members know, since about 2008 there has been an explosion of short-term rentals of residential properties being promoted through website platforms. Some of the platforms that help owners rent their properties are AirBNB, HomeAway, Flipkey, Pillow, VRBO, Beyond Stays, and Guesty, among others. Though these operators offer overnight accommodations and other services similar to traditional lodging businesses (which pay the state Rooms and Meals tax and comply with public health and safety regulations) many, if not most, do not apply for a Rooms and Meals tax license. In fact current law requires that any short-term rental is subject to the Rooms and Meals tax (RSA 78-A). This legislation will require that all residential short-term rental operators include their Rooms and Meals tax license number in all advertisements which will, of course, include online listings. This will give the Department of Revenue Administration another mechanism to determine if those using these website platforms are paying the required taxes. It may also serve to encourage neighbors who do pay this tax, to question neighbors who also provide short-term rentals who are not. Vote 15-4.

Amendment (0287h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Regulation of Short-Term Rental Businesses. Amend RSA 353 by inserting after section 10 the following new subdivision:

Regulation of Short-Term Rental Businesses

353:11 Definition. In this subdivision, "short-term rental business" means any person or entity which offers or advertises the rental of one or more rooms in a residential unit for occupancy for tourist or transient use.

353:12 Advertisements. Any advertisement by a short-term rental business for printing, display, publication, distribution, or broadcast offering a short-term rental shall clearly and conspicuously display the meals and rooms license number of the operator. A first-time violation of the provisions of this section may result in a warning from the department of revenue administration that the operator's license may be revoked, suspended, or denied. Subsequent violations of the provisions of this paragraph may constitute sufficient cause for revocation, suspension, or denial of license.

2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill requires advertisments by short-term rental businesses to display the meals and rooms license number of the operator.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 202 NAYS 107

YEAS - 202 BELKNAP

Fields, Dennis Luther, Robert	Flanders, Donald Tilton, Franklin	Fraser, Valerie	Gallagher, Brian
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		
		COOS	
Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	
	HILI	LSBOROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Belanger, James
Biggie, Barbara	Booras, Efstathia	Christensen, Chris	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Freitas, Mary	Gagne, Larry
		-	

Gidge, Kenneth Hansberry, Daniel Herbert, Christopher Kurk, Neal Mangipudi, Latha Pellegrino, Anthony Roberts, Carol Shaw, Barbara Sullivan, Daniel Goley, Jeffrey Hansen, Peter Hinch, Richard LeBrun, Donald Manley, Jonathan Peterson, Ken Rosenwald, Cindy Snow, Kendall Williams, Kermit

Gorman, Mary Harvey, Suzanne Infantine, William Leishman, Peter O'Brien, Michael Pierce, David Rowe, Robert Soucy, Timothy Wolf, Terry Haefner, Robert Heath, Mary Jack, Martin Long, Patrick Palmer, Barry Porter, Marjorie Shattuck, Gilman Souza, Kathleen Woodbury, David

MERRIMACK

Bartlett, Christy Ebel, Karen Hirsch, Geoffrey MacKay, James Rice, Chip Shurtleff, Stephen Bradley, Paula Frazer, June Karrick, David Moffett, Howard Rogers, Katherine Turcotte, Alan Carson, Clyde French, Harold Kenison, Linda Myler, Mel Saunderson, George Wallner, Mary Jane

Doherty, David Henle, Paul Kidder, David Ratzki, Mario Schuett, Dianne Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cardon, G. Thomas Devine, James Gordon, Pamela Heffron, Frank Major, Norman McMahon, Charles Packard, Sherman Sherman, Thomas Ward, Gerald Woitkun, Steven

Allen, Mary Borden, David Christie, Andrew Elliott, Robert Griffin, Mary Hoelzel, Kathleen Matthews, Carolyn Milz, David Pantelakos, Laura Simpson, Alexis Webb, James Azarian, Gary
Cahill, Michael
Cushing, Robert
Fesh, Robert
Guthrie, Joseph
Introne, Robert
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Sytek, John
Welch, David

Barnes, Arthur Cali-Pitts, Jacqueline DeSimone, Debra Francese, Paula Hagan, Joseph Katsakiores, Phyllis McKinney, Betsy O'Connor, John Rice, Frederick Tilton, Rio Weyler, Kenneth

STRAFFORD

Baber, William Burton, Wayne Horrigan, Timothy Southworth, Thomas Verschueren, James Berube, Roger Cheney, Catherine Mullen, John Spang, Judith Wall, Janet Bickford, David DiSesa, Len Schmidt, Peter Stevens, Audrey Ward, Kenneth

Bixby, Peter Gray, James Smith, Marjorie Treleaven, Susan

SULLIVAN

Cloutier, John Grenier, James Converse, Larry Oxenham, Lee Gagnon, Raymond Schmidt, Andrew Gottling, Suzanne Smith, Steven

NAYS - 107 BELKNAP

Aldrich, Glen Sylvia, Michael

Dumais, Russell Vadney, Herbert

LeBreche, Shari

Spanos, Peter

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

CHESHIRE

CARROLL

McConnell, James

Tilton, Benjamin

COOS

Rideout, Leon

Ward, Joanne

GRAFTON

Darrow, Stephen Johnson, Eric	Gionet, Edmond White, Andrew	Hull, Robert	Ingbretson, Paul
	нп	LSROROUGH	

HILLSBOKOOGH

Adams, Christopher	Ammon, Keith	Beaulieu, Jane	Boehm, Ralph
Burt. John	Byron, Frank	Christie, Rick	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Hogan, Edith	Hopper, Gary
Lachance, Joseph	McCarthy, Peggy	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell
Ohm, Bill	Parison, James	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Straight, Phillip	Sullivan, Victoria	Takesian, Charlene	Ulery, Jordan

MERRIMACK

Brewster, Michael Deloge, Helen Horn, Werner Kuch, Bill Martin, John McGuire, Carol Seaworth, Brian	Hill, Gregory Long, Douglas McGuire, Dan	Hoell, J.R. Marple, Richard Parent, Jason
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ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David Doucette, Fred Gordon, Richard Itse, Daniel Osborne, Jason True, Chris	Chase, Francis
Chirichiello, Brian	Cook, Allen		Emerick, J. Tracy
Ferrante, Beverly	Gannon, William		Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce		Kappler, Lawrence
Lundgren, David	Manning, John		Potucek, John
Prudhomme-O'Brien, Katherine	Thomas, Douglas		Tucker, Pamela

STRAFFORD

SULLIVAN

Rollins, Skip Laware, Thomas and the committee report was adopted and referred to the Committee on Ways and Means.

HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Bart Fromuth for the Majority of Commerce and Consumer Affairs. This bill repeals laws regulating hawkers, peddlers and itinerant vendors at the state level. The majority of the committee feels that these laws, one originally adopted in 1897 and the other in 1931, have outlived their utility and purpose. Over the years, so many exemptions had been written into the laws that it was difficult for the committee to discern who might still be subject to their requirements. As an example, the exemptions include: charities, religious groups, home goods sales political organizations, and any person conducting business in any industry or trade association show. Further, it seemed as though many of the state's remaining licensees had availed themselves of the licenses mistakenly due to the confusion surrounding the exemptions. We also heard testimony from a former police officer and license holder that the licenses were no longer necessary. Vote 10-9.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. No town official or citizen has come to their elected state representatives and said that these laws present a problem. In the committee hearings we heard from the Secretary of State's office that they are useful and necessary. We heard from a town police chief and a representative of the State Police, representing the concerns of several towns, that these statutes give towns the basis upon which to create their own local ordinances relative to hawkers and peddlers; and that they make it possible for them to do the necessary background checks on those applying for these licenses. The minority believes that until those finding these laws useful come to us to request a change, that the laws should continue

to offer the basis for protection of our citizens from unscrupulous door-to-door peddlers.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Williams spoke against and yielded to questions.

Rep. Fromuth spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 168 NAYS 142

YEAS - 168

BELKNAP

Aldrich, GlenDumais, RussellFlanders, DonaldFraser, ValerieGallagher, BrianLeBreche, ShariLuther, RobertSpanos, PeterSylvia, MichaelTilton, FranklinVadney, Herbert

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Parker, Harold Schmidt, Stephen Wright, Ted

CHESHIRE

Hunt, John McConnell, James Roberts, Kris Tilton, Benjamin

COOS

Rappaport, Laurence Richardson, Herbert Rideout, Leon

GRAFTON

Darrow, Stephen Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Biggie, Barbara Boehm, Ralph Burt, John Christensen, Chris Christie, Rick Coffey, James Cohen, Alan Danielson, David Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gagne, Larry Gould, Linda Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Garv Infantine, William Kurk, Neal Lachance, Joseph McCarthy, Peggy McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Ober, Lynne Ober, Russell Ohm. Bill Palmer, Barry Parison, James Pellegrino, Anthony Peterson, Ken Pierce, David Proulx, Mark Rice, Kimberly Rouillard, Claire Rowe, Robert Sanborn, Laurie Schleien, Eric Seidel, Carl Straight, Phillip Sullivan, Victoria Takesian, Charlene Ulery, Jordan Wolf, Terry

MERRIMACK

French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kuch, Bill Long, Douglas Marple, Richard McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Marv Baldasaro, Alfred Bates, David Cardon, G. Thomas Chase, Francis Chirichiello, Brian Christie, Andrew Cook, Allen DeSimone, Debra Devine, James Doucette, Fred Elliott, Robert Emerick, J. Tracy Fesh, Robert Gannon, William Green, Dennis Griffin, Mary Hagan, Joseph Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Itse, Daniel Katsakiores, Phyllis Lundgren, David Major, Norman Manning, John Matthews, Carolyn McMahon, Charles Milz, David

Nigrello, Robert O'Connor, John
Peckham, Michele Potucek, John
Sytek, John Thomas, Douglas
Tucker, Pamela Ward, Joanne
Weyler, Kenneth Woitkun, Steven

Osborne, Jason Prudhomme-O'Brien, Katherine Tilton, Rio Webb, James

Packard, Sherman Rice, Frederick True, Chris Welch, David

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Pitre, Joseph Bickford, David Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard Cheney, Catherine Groen, Warren Leeman, Don Wuelper, Kurt DeLemus, Susan Hannon, Joseph Mulien, John

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 142 BELKNAP

Fields, Dennis

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Parkhurst, Henry Sad, Tara Ames, Richard Eaton, Daniel Pearson, William Shepardson, Marjorie Berch, Paul Ley, Douglas Phillips, Larry Tatro, Bruce Bordenet, John Mann, John Robertson, Timothy Weber, Lucy

coos

Fothergill, John Tholl, John Hatch, William Thomas, Yvonne Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Ford, Susan Massimilla, Linda Townsend, Charles Almy, Susan Hennessey, Martha Nordgren, Sharon White, Andrew Bennett, Travis Higgins, Patricia Smith, Suzanne Cooney, Mary Maes, Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Christiansen, Lars Freitas, Mary Hansberry, Daniel Jack, Martin Long, Patrick Porter, Marjorie Shaw, Barbara Sullivan, Daniel Baroody, Benjamin Cornell, Patricia Gidge, Kenneth Harvey, Suzanne Jeudy, Jean Mangipudi, Latha Roberts, Carol Snow, Kendall Williams, Kermit Beaulieu, Jane Cote, David Goley, Jeffrey Heath, Mary LeBrun, Donald Manley, Jonathan Rosenwald, Cindy Soucy, Timothy Woodbury, David Byron, Frank DiSilvestro, Linda Gorman, Mary Herbert, Christopher Leishman, Peter O'Brien, Michael Shattuck, Gilman Souza, Kathleen

MERRIMACK

Bartlett, Christy Deloge, Helen Henle, Paul MacKay, James Ratzki, Mario Schuett, Dianne Bradley, Paula Doherty, David Hirsch, Geoffrey Martin, John Rice, Chip Shurtleff, Stephen Brewster, Michael Ebel, Karen Karrick, David Moffett, Howard Rogers, Katherine Turcotte, Alan Carson, Clyde Frazer, June Kenison, Linda Myler, Mel Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary	Barnes, Arthur	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Ferrante, Beverly
Francese, Paula	Gordon, Pamela	Gordon, Richard	Guthrie, Joseph
Heffron, Frank	Kappler, Lawrence	McBeath, Rebecca	McKinney, Betsy
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Oxenham, Lee	Schmidt, Andrew	oronanig, ouzumio

and the committee report was adopted and referred to the Committee on Ways and Means.

HB 1694-FN-A-L, relative to the legalization and regulation of marijuana. MAJORITY: INEX-PEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Dick Marston for the Majority of Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants, of which 3 could be adult plants which could produce up to 3 pounds. After hearing testimony on the practices in other states, the sponsors indicated that it would be a much needed source of revenue for the State of New Hampshire. The committee also heard testimony from many sources, including the proponents of legalization, that marijuana is not a harmless drug. The majority of the committee believes that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 from obtaining the drug from either legal or illicit means. The committee feels that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addition, that now is not the time to legalize a drug that is illegal under federal statutes. The committee further believes that relying on the sale and taxation of a federally illegal drug is not the NH way to address the state's fiscal needs. Vote 11-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The minority believes that this bill is a well-crafted piece of legislation providing adult NH citizens over the age of 21 with a controlled, tested, labeled, and less harmful alternative to alcohol - without turning users into criminals. 58% of Americans nationally and 60% of NH citizens support the legalization of recreational marijuana sold and taxed like alcohol (WMUR Poll 7/15). This bill is modeled after the best practices adopted in states currently regulating marijuana successfully in accordance with public health and safety. Passage of this bill will, by the most conservative estimates, divert hundreds of millions of dollars from the illicit drug market to a regulated market. Regulations in this bill protect the consumer without minimizing marijuana's risks. Resulting jobs created in NH will range from agriculture to manufacturing to laboratories to retail sales. Tax provisions in this bill will provide the State of NH with much needed revenue. Recreational marijuana is currently legal in 4 states and Washington DC. According to USA Today, 11 states -- most notably Vermont, Maine, Massachusetts, Rhode Island, and Connecticut -- will likely adopt legalization of marijuana this year or next. NH could soon be surrounded by states that have ended the prohibition of marijuana for adult use. Supporters of this bill are not blind to NH's, indeed the nation's, crisis with opiates and related deaths. But consider this: according to the US CDC, in 2015 over 17,000 people died from illicit drug overdoses (heroin, cocaine, etc.); over 25,000 people died from overdoses of prescription drugs; over 50,000 people died from alcohol related diseases and overdoses. During that same period 0 people died from an overdose of cannabis. In numerous reputable studies, gateway drug assertions have been shown to be unwarranted. The message this legislation brings to citizens of all ages is that we will no longer tolerate marijuana coming from the hands of callous drug dealers who tempt customers into more dangerous substances (as happens now). Rather, NH will provide tested, regulated, and labeled marijuana products adults can understand and trust. The message is that legislators can be responsive to public opinion, responsible in their actions, and reasonable in their laws.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Hirsch spoke against.

Reps. Hansen and Tholl spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 190 NAYS 112

YEAS - 190

	J	BELKNAP	
Dumais, Russell Luther, Robert	Fields, Dennis Spanos, Peter	Flanders, Donald Tilton, Franklin	LeBreche, Shari
		CARROLL	
Avellani, Lino McCarthy, Frank Umberger, Karen	Buco, Thomas McConkey, Mark	Chandler, Gene Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	(CHESHIRE	
Abbott, Michael McConnell, James Shepardson, Marjorie	Ames, Richard Parkhurst, Henry	Hunt, John Roberts, Kris	Mann, John Sad, Tara
Shepardson, Marjone		COOS	
Fothergill, John Rideout, Leon	Hatch, William Tholl, John	Rappaport, Laurence Thomas, Yvonne	Richardson, Herbert
	(GRAFTON	
Abel, Richard Johnson, Eric Smith, Suzanne	Almy, Susan Ladd, Rick Sykes, George	Cooney, Mary Massimilla, Linda White, Andrew	Gionet, Edmond Nordgren, Sharon

HILLSBOROUGH

		DDOROUGH	
Backus, Robert	Belanger, James	Biggie, Barbara	Boehm, Raiph
Booras, Efstathia	Byron, Frank	Christensen, Chris	Christie, Rick
Coffey, James	Danielson, David	Estevez, Eric	Ferreira, Elizabeth
Gagne, Larry	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Leishman, Peter	Manley, Jonathan	McCarthy, Peggy	Moore, Josh
Notter, Jeanine	O'Brien, Michael	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Proulx, Mark	Rice, Kimberly
Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire	Sanborn, Laurie
Seidel, Carl	Shattuck, Gilman	Snow, Kendall	Soucy, Timothy
Souza, Kathleen	Straight, Phillip	Sullivan, Daniel	Ulery, Jordan
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Bradley, Paula Hill, Gregory Kuch, Bill Rogers, Katherine Walsh, Thomas	Doherty, David Horn, Werner Marple, Richard Schuett, Dianne	Ebel, Karen Karrick, David Martin, John Shurtleff, Stephen	French, Harold Kenison, Linda Myler, Mel Wallner, Mary Jane
Waish, Indinas			

ROCKINGHAM

	KU	KUCKINGHAM	
Abrami, Patrick Berrien, Skip Chase, Francis Devine, James	Allen, Mary Borden, David Christie, Andrew Doucette, Fred	Azarian, Gary Cahill, Michael Cook, Allen Elliott, Robert	Bates, David Cali-Pitts, Jacqueline DeSimone, Debra Ferrante, Beverly

	TIOUSE JOURN	AL TEBRUARY II, 20	10
Fesh, Robert Gordon, Richard Harris, Jeffrey Kappler, Lawrence Matthews, Carolyn Osborne, Jason Potucek, John Thomas, Douglas Webb, James	Francese, Paula Green, Dennis Hodgdon, Bruce Katsakiores, Phyllis McKinney, Betsy Packard, Sherman Rice, Frederick Tilton, Rio Welch, David	Gannon, William Griffin, Mary Hoelzel, Kathleen Major, Norman McMahon, Charles Pantelakos, Laura Sherman, Thomas Tucker, Pamela Weyler, Kenneth	Gordon, Pamela Hagan, Joseph Introne, Robert Manning, John Nigrello, Robert Peckham, Michele Sytek, John Ward, Joanne
	ST	TRAFFORD	
Baber, William DiSesa, Len Leeman, Don Southworth, Thomas Wall, Janet	Berube, Roger Graham, Robert Mullen, John Sprague, Dale Wuelper, Kurt	Cheney, Catherine Gray, James Pitre, Joseph Stevens, Audrey	DeLemus, Susan Groen, Warren Schmidt, Peter Turcotte, Leonard
	S	ULLIVAN	
Cloutier, John Rollins, Skip	Gagnon, Raymond Smith, Steven	Gottling, Suzanne	Laware, Thomas
	N	AYS - 112	
		BELKNAP	
Aldrich, Glen	Fraser, Valerie	Sylvia, Michael	Vadney, Herbert
	C	ARROLL	
Butler, Edward	Comeau, Ed	Ticehurst, Susan	Wright, Ted
	C	HESHIRE	
Berch, Paul Ley, Douglas Sterling, Franklin	Bordenet, John Pearson, William Tatro, Bruce	Chase, Cynthia Phillips, Larry Tilton, Benjamin	Eaton, Daniel Robertson, Timothy Weber, Lucy
		COOS	
Moynihan, Wayne	Theberge, Robert		
	G	RAFTON	
Bennett, Travis Higgins, Patricia Shackett, Jeffrey	Darrow, Stephen Hull, Robert Townsend, Charles	Ford, Susan Ingbretson, Paul	Hennessey, Martha Maes, Kevin
	HILL	SBOROUGH	
Adams, Christopher Burt, John DiSilvestro, Linda Freitas, Mary Jack, Martin Mangipudi, Latha Shaw, Barbara	Ammon, Keith Christiansen, Lars Eastman, Eric Gidge, Kenneth Jeudy, Jean McLean, Mark Takesian, Charlene	Baroody, Benjamin Cohen, Alan Edelblut, Frank Heath, Mary Lachance, Joseph Murphy, Keith	Beaulieu, Jane Cornell, Patricia Edwards, Elizabeth Herbert, Christopher Long, Patrick Schleien, Eric
	MEI	RRIMACK	
Bartlett, Christy Frazer, June Hoell, J.R. McGuire, Carol	Brewster, Michael French, Barbara Kidder, David	Carson, Clyde Henle, Paul Long, Douglas	Deloge, Helen Hirsch, Geoffrey MacKay, James

Parent, Jason

Seaworth, Brian

McGuire, Carol

Rice, Chip

McGuire, Dan

Saunderson, George

Ratzki, Mario

Turcotte, Alan

ROCKINGHAM

Cardon, G. Thomas Barnes, Arthur Baldasaro, Alfred Abramson, Max Guthrie, Joseph Emerick, J. Tracy Cushing, Robert Chirichiello, Brian McBeath, Rebecca Lundgren, David Itse. Daniel Heffron, Frank Prudhomme-O'Brien, Katherine True, Chris O'Connor, John Milz, David Ward, Gerald

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Horrigan, Timothy
Smith, Marjorie
Ward, Kenneth

Bixby, Peter
Jones, Laura
Jones, Laura
Freleaven, Susan

Burton, Wayne
Kaczynski, Jr., Thomas
Verschueren, James

SULLIVAN

Converse, Larry Grenier, James Oxenham, Lee Schmidt, Andrew

and the majority committee report was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR ON FEBRUARY 10, 2016 HB 1495-FN-L, relative to insurance incentives to lower costs of health care. INEXPEDIENT TO LEGISLATE.

Rep. Donald Flanders for Commerce and Consumer Affairs. The committee determined that, while well intended, this bill is too prescriptive and a government mandate of this kind is not necessary. Insurance carriers already offer their members transparency tools that provide cost and quality information for more than 1,000 health care services. These tools, along with innovative provider networks and health plan designs, are successfully encouraging consumers to make informed decisions and are lowering costs for everyone. This bill also presents a number of operational and administrative problems. The committee determined that this bill would inhibit the innovation that is already taking place and that giving health insurance carriers the flexibility to offer different incentives and programs will better serve the public than a legislative mandate. Vote 16-2. Committee report adopted.

HB 1189-FN, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Rick Ladd for Education. In 1807, the NH Legislature granted Dartmouth College a grant of land known as the Second College Grant, and in 1883, the state appropriated and paid Dartmouth the sum of \$10,000. Income from the Second College Grant and the 1883 Fund are to be used for education of indigent NH youth. Both the 1807 and 1883 legislative acts required Dartmouth to annually prepare and submit accounting for the grants to the Governor. Reporting aspects of the legislation did not occur. This bill seeks to correct reporting needs and would impose a \$10,000 fine for each year Dartmouth trustees failed to timely file annual reports and further would set a fund for indigent students within the Department of Education. In light of the recent memorandum of understanding signed by the Charitable Trusts Unit of the NH Department of Justice and Trustees of Dartmouth College addressing and correcting issues noted in the bill, the committee resolves that the bill is no longer necessary given the MOU dated December 10, 2015. Vote 17-2. Committee report adopted.

HB 1566-FN, relative to out-of-state transportation companies. INEXPEDIENT TO LEGISLATE. Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The committee determined that the bill would require the booking of existing medical managed care contracts in potential violation of existing contract law. In addition, the committee heard testimony that prohibiting out-of-state transportation companies from providing services would be in violation of federal law. Vote 15-1. Committee report adopted.

HB 1581-FN-A, establishing a special marriage officiant license. INEXPEDIENT TO LEGISLATE. Rep. Kurt Wuelper for Judiciary. This bill would allow any person to solemnize one marriage for a fee which would go to the Victim's Assistance Fund. The majority of the committee saw no need to expand the authority to perform marriage ceremonies. Vote 11-5.

Rep. Wuelper spoke in favor. Rep. Cushing spoke against, yielded to questions and requested a roll call; not sufficiently seconded. On a division vote, with 223 members having voted in the affirmative and 74 in the negative, the committee report was adopted.

HB 1593-FN-L, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. INEXPEDIENT TO LEGISLATE. Rep. Lucy Weber for Legislative Administration. The first section of this bill prohibits public bodies and agencies from recovering labor costs for searching and compiling information requested under the right-to-know law. The committee received testimony that these costs are already unrecoverable under the present language, so the change is not needed. The remaining two sections require the public filing of significant information having to do with member spouses, their employment, and their business interests. Representatives are bound by the Legislative Ethics rules and it is important that Representatives' information is available to the public. Committee members believed that spouses of Representatives should retain their privacy. Vote 9-0.

HB 1693-FN-L, abolishing fluoridation in water. INEXPEDIENT TO LEGISLATE.

Rep. Paula Francese for Resources, Recreation and Development. This bill would prohibit the introduction of fluoride into drinking water supplies in the state. It contains a number of issues of concern for the committee. Tooth decay is one of the most common chronic diseases among American children. According to the National Center for Health Statistics, one of four children living below the federal poverty level experience untreated tooth decay. The safety and benefits of fluoride are well documented and have been reviewed comprehensively by several scientific and public health organizations. No convincing scientific evidence has been found linking fluoridation with any potential adverse health effect or systemic disorder. With regard to cost, according to the American Dental Association the cost of a lifetime of water fluoridation is less than the cost of a single filling. By preventing tooth decay, community water fluoridation has been shown to save money, both for families and the health care system. SB 449, passed in 2004, established a procedure for voting on the introduction of fluoride into public water supplies at the local level. New Hampshire statutes specify procedures by which supplemental fluoridation of public water supplies can be accomplished. These statutes require that any proposal to fluoridate be subject to a vote and that majority approval is needed to begin fluoridation. Once fluoridation begins, the Department of Environmental Services monitors water supplies to ensure the proper concentration is achieved and maintained. Further, test kits are available for homeowners whose artesian well water contains naturally occurring fluoride. The committee believes that the pros and cons of fluoridation is a subject individuals and families need to discuss with their health care providers and that community water fluoridation is a decision best made at the local level. Vote 16-2. Rep. Valerie Fraser spoke against.

Rep. Francese spoke in favor.

Committee report adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 9, 2016 at 9:00 a.m.

LATE SESSION

Third Reading and Final Passage

HB 1434-FN, relative to out-of-home placements under the child protection act.

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.

HB 668-FN, relative to expense deductions under the business profits tax.

UNANIMOUS CONSENT

Rep. Webb requested Unanimous Consent of the House regarding an apology and addressed the House. Rep. Kris Roberts requested Unanimous Consent of the House regarding Black History Month and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Kris Roberts during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Rep. Kris Roberts: Today I stand here because it is Black History Month. But to me it is much more than that. Yes it involves our African roots, and our black ancestors. However, to me Black History Month is not a stand-alone history. It is American history. Black history is not about a group of people, who based on their color have become to be viewed by many not as equals but, "perennial victims; victims who were stripped of their culture and humanity and forced to live out their lives in slavery." Black History Month is about how all of us stand, not on the shoulders of giants, but on the shoulders of men and women; who through their sweat, tears, pain, and suffering without surrendering their dignities, played a major role in helping make the United States into the greatest industrial powerhouse the world has ever known; a democracy that still spends American blood and treasure fighting for democracy and human rights worldwide. Even after the words of President James A. Garfield spoken in 1881, "The elevation of the Negro race from slavery to the full rights of citizenship is the most important political change we have known since the adoption of the Constitution of 1787. No thoughtful man can fail to appreciate its beneficent effect upon our institutions and people. So far as my authority can lawfully extend, they shall enjoy the full and equal protection of the Constitution and the laws." A democracy that has delayed ensuring the same civil and human rights to every single American regardless of race, religion, sex, and sexual orientation. I don't stand here to place blame, I don't stand here to judge the actions of our nation's forefathers by today's morals, to absolute anyone for their actions, least of all to be political correct. I know I will speak of unpleasant historical facts. I stand here to inform, to enlighten, but most of all to tell the black youth of New Hampshire that they have the right to be proud; proud of the fact that the labors of our ancestors were major contributors to making America the greatest country in the history of the world. When Colin Powell was born, descended from black slaves, born under Jim Crow rules, no one could ever have dreamt that he, a black American, despite the words of Senator Robert C. Byrd spoken in 1944, "I shall never fight in the armed forces with a Negro by my side. Rather I should die a thousand times, and see Old Glory trampled in the dirt never to rise again, than to see this beloved land of ours become degraded by race mongrels, a throwback to the blackest specimen from the wilds," would become the Chairman of the Joint Chiefs of Staff or later Secretary of State. American history is about how more than half of all slave voyages left and returned from almost every port city in the United States; Portsmouth, Newport, Salem, Boston, Middletown, and New London, to name a few. Transporting mostly after 1808, about 180,000 of the approximately 388-450,000 black men and women who were captured, sold, survived the trans-Atlantic journey to what was to become the United States and resold; often repeatedly. Or, in the words of Lorenzo Green, a renowned author on black life in 17th-18th century New England, "The effects of the New England slave trade were momentous. It was one of the foundations of New England's economic structure; it created a wealthy class of slave-trading merchants, while the profits derived from this commerce stimulated cultural development and philanthropy," colleges, museums and music halls. The trade brought great wealth to some merchants and investors and created jobs for tens of thousands of others. In addition to the sailors employed in the trade, many people worked in industries dependent on the slave trade; rope making, iron forging, candle manufacturing, carpentry, logging, newspapers, distilleries, tanners, lawyers, fishermen, farmers, and the cotton mills of Fall River, Lowell, and Manchester. I could go on. Steven Bressler said, "Once you begin to see these great seaports and these great historic houses, everywhere you look, you can follow it back to the agricultural trade of the West Indies, to the trade of bodies in Africa, to the unpaid labor of black people. What people need to understand is that, here in the North, while there were not the large plantations of the South or the Caribbean islands, there were families who owned slaves. There were businesses actively involved in the slave trade. Slavery was a major stimulus to the New England economy." In March 1835, 28 white and 14 black students begin classes at the newly founded Noyes Academy in a small New Hampshire town. The school admitted qualified students, regardless of race. Its policy was clear, "To afford colored youth a fair opportunity to show that they are capable, equally with the whites, of improving themselves in every scientific attainment, every social virtue, and every Christian ornament." The citizens of this NH town called a meeting and declared that they were "determined to

take effectual measures to remove the school." The town appointed a committee "To do away with the school in the interest of the town, and the honor of the State." It rounded up men from surrounding towns and with about 100 yoke of oxen, pulled down the school and dragged it to the Baptist church located near the town commons. When their work was completed, the committee met once more to praise the Constitution and invoke the memories of the patriots of '76. The Concord Patriot wrote, "Joyful to the friends of this country." Speaking in Congress, New Hampshire Senator Isaac Hill defended the citizens' actions, stating their goal had been to thwart the abolitionist scheme to mingle the children of the two races. In New England, one need look no further than a symbol that graces welcome mats, door knockers, bedposts, and all manner of household décor; the pineapple. That exotic fruit is as intertwined with slavery as the Confederate flag. When New England ships came to port, captains would impale pineapples on a fence post, a sign to everyone that they were home and open for business, bearing the bounty of slave labor and sometimes slaves themselves. Lest we forget, while we may wish to change dark events of our past, we must remember to do so is to change the present. Thank you.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports. Motion adopted.

The House recessed at 1:45 p.m.

RECESS

(Rep. Hinch in the Chair) ENROLLED BILL AMENDMENTS

SB 144, relative to carry-over coverall bingo and shared carry-over coverall bingo. (Amendment printed SJ 2-18-16) Adopted.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. (Amendment printed SJ 2-18-16) Adopted.

REFERRAL DECLINED

Rep. Kurk Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 1430-FN**, relative to registration of compact utility tractors.

RECESS

(Rep. Packard in the Chair) RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 59, 127, 129, 152, 210, 239, 302, 309, 312, 313, 314, 315, 316, 318, 319, 322, 328, 331, 333, 361, 371, 373, 375, 377 and 378 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 59, relative to the removal of county officers and temporary filling of the office. (Municipal and County Government)

SB 127-FN, relative to the appointment of special Medicaid representatives. (Health, Human Services and Elderly Affairs)

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. (Executive Departments and Administration)

SB 152, relative to criminal history records checks for school employees and designated school volunteers. (Education)

SB 210-FN, relative to regulation of septic system evaluators. (Executive Departments and Administration) SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business

profits tax. (Ways and Means)

SB 302-FN-A, making an appropriation to the department of safety for disaster and emergency response preparedness. (Finance)

SB 309, relative to sulfur limits of certain liquid fuels. (Science, Technology and Energy)

SB 312, relative to epinephrine administration in independent schools. (Education)

SB 313, relative to requirements for licensed estheticians. (Executive Departments and Administration)

SB 314, relative to the membership of the higher education commission. (Education)

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. (Executive Departments and Administration)

SB 316, relative to placement decisions by a child's individualized education program team. (Education) SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. (Resources, Recreation and Development)

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. (Executive Departments and Administration)

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. (Education)

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. (Education)

SB 331, relative to fulfilling the requirement for a notarized signature electronically. (Judiciary)

SB 333, relative to net energy metering. (Science, Technology and Energy)

SB 361, banning the sale of premixed synthetic urine. (Health, Human Services and Elderly Affairs) SB 371, relative to school lunch meal payment policies. (Education)

SB 373, relative to the information technology infrastructure in public schools. (Education)

SB 375, establishing the coastal marine natural resources and environment commission. (Resources, Recreation and Development)

SB 377, relative to emission levels of municipal waste combustion units. (Science, Technology and Energy)

SB 378, relative to the availability of net metering tariffs. (Science, Technology and Energy)

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 121, 332, 352, 356, 357, 380, 392, 396, 397, 398, 426, 427, 437, 440, 444, 453, 460, 464, 480, 485 and 522 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. (Environment and Agriculture)

SB 332, relative to state procurement of goods and services. (Executive Departments and Administration)

SB 352, naming a cove in Lake Winnipesaukee as Ritson Cove. (Resources, Recreation and Development) SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations. (Transportation)

SB 357, relative to driver's license examinations. (Transportation)

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Resources, Recreation and Development)

SB 392, relative to the special training licenses issued by the board of podiatry. (Executive Departments and Administration)

SB 396, relative to compatibility of electrical devices with the National Electric Code and the state building code. (Executive Departments and Administration)

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. (Executive Departments and Administration)

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. (Executive Departments and Administration)

SB 426, establishing an end-of-life choices study commission. (Judiciary)

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. (Health, Human Services and Elderly Affairs)

SB 437, establishing a commission to address child hunger in New Hampshire. (Children and Family Law)

SB 440-FN, repealing the repeal of certain fees in the shoreland protection act. (Ways and Means)

SB 444-FN, relative to lottery retailer incentive awards. (Ways and Means)

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Education)

SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. (Education)

SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. (Ways and Means)

SB 480-FN-A, relative to the state house visitor's center revolving fund. (Legislative Administration) SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. (Finance)

SB 522-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Finance)

SENATE MESSAGES

CONCURRENCE WITH AMENDMENTS

SB 110-FN, establishing the administrative supervision act.

SB 157-FN, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

SB 227-FN, relative to calculating the cost of an adequate education.

COMMITTEE ASSIGNMENTS

The Speaker made the following change to committee assignments: Rep. Tasker off the Committee on Children and Family Law.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 8

Wednesday, March 9, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by the member from Exeter, Representative Alexis Simpson.

Gracious God, we come back together today, rested from recess, and work-weary from preparations for the day. We come into this space grateful for the continued opportunity to serve the people of New Hampshire, yet many are anxious, wondering what the day will hold. Today we entrust the care of our children, our parents, our spouses, our partners to others as we seek to honor the lived experience of 1.3 million people. Today we set aside all other work to improve the communities we call home. Our hearts and our heads are full. With so much on the table, so much seems to be at stake. Prepare our hearts and our minds for the work ahead. Hold us in Your care as we seek wisdom. Grant us perseverance when our day gets long. Offer us moments of grace that we may see each other's deepest humanity in the midst of discord, debate and disagreement. Allow us moments of humor and collegiality when we need them most. May the spirit of respect, light, and love rise up from our midst. Amen.

Representative Leonard Turcotte, member from Barrington, led the Pledge of Allegiance.

The National Anthem was sung by the Coe-Brown Northwood Academy Select Chorus.

LEAVES OF ABSENCE

Reps. Bridge, Chris Brown, Comtois, Emerson, Fesh, Kellogg, Manning, Moody, Michael O'Brien, Oxenham, Priestley, Sanders and Scontsas, the day, illness.

Reps. Booras, Hagan, Goulette, Nordgren, O'Hearne, Sherman, Souza, Tamburello, Whitehouse and Woodbury, the day, important business.

INTRODUCTION OF GUESTS

Cole and Connor Tollett, students from Fall Mountain Regional High School, Pages for the day. Marc and Alyson Therrien, guests of Rep. Leonard Turcotte.

COMMUNICATION

March 7, 2016

Speaker Shawn Jasper New Hampshire House of Representatives New Hampshire State House 107 North Main Street Concord, New Hampshire 03301

Dear Speaker Jasper:

I am writing to resign my seat as Representative from Rockingham County - District 2. I appreciate all your courtesies during the time I have served in the New Hampshire Legislature.

Sincerely, Kyle Tasker

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 146 and 157.

Rep. Hinch, Sen. Prescott for the Committee

REPORT FROM THE COMMITTEE ON LEGISLATIVE ADMINISTRATION

On Monday, March 7, the Legislative Administration Committee met to consider the matter of Representative Don Leeman and whether or not he was an inhabitant of the district he was elected to represent, the topic being referred to the committee by the Speaker. Representative Leeman had been living at 14 Partridge Green Way, which is in Ward 3 in the city of Rochester. The district, (Strafford 23), includes Ward 3 (as well as Ward 2). Representative Leeman told the committee the

he had lived there for 9 years, but had moved on December 29 of 2015 and currently resides at 64 Old Farm Lane in Rochester's Ward 6. The committee took testimony from the Speaker, Clerk, and House Legal Counsel. Part 2, Article 14 of the New Hampshire Constitution was reviewed extensively, which includes the language "every member of the house of representatives shall be chosen, by ballot; and, for two years, at least, next preceding his election shall have been an inhabitant of this state; shall be, at the time of his election, an inhabitant of the town, ward, place or district he may be chosen to represent and shall cease to represent such town, ward, place or district immediately on his ceasing to be qualified as aforesaid." The provision twice uses the term "inhabitant" and that is an older term from the 1700s that means, according to Black's Law Dictionary, "one who resides actually and permanently in a given place and has his domicile there." Additionally, according to the book The New Hampshire State Constitution, by Lawrence Friedman (2015 edition), "if a member moves out of his or her district, the residency requirement is not met and he or she ceases to be a representative." The committee, as part of this report undertook to answer two questions. 1) Is the member an inhabitant of the district to which he was elected? 2) Is the member qualified to continue to represent the district to which he was elected? The committee agreed, unanimously, that the answer to both questions was no. Representative Leeman can no longer serve as a member of the New Hampshire House because he has constitutionally disqualified himself.

Rep. Dick Hinch for the Committee

Rep. Hinch addressed the House and indicated that Rep. Leeman had in fact returned to his district.

MOTION TO LAY ON THE TABLE

Rep. Packard moved that the Report of the Committee on Legislative Administration be laid on the table.

Motion adopted.

MOTION TO AMEND CONSENT CALENDAR

Rep. Hinch moved that the bills printed in House Calendar Addendum 14A, intended and voted by Committee to be on the Consent Calendar, be included in the vote on the Consent Calendar. Motion adopted.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 1329, relative to prohibited sales of alcoholic beverages, removed by Rep. Fisher.

HB 1135, relative to physical force in defense of a person, removed by Rep. Abramson.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders, removed by Rep. Spillane.

HB 1261, relative to multiple indictments in criminal prosecutions, removed by Rep. Abramson.

HB 1311, relative to solitary confinement, removed by Rep. Hannon.

HB 1318, relative to sex offender registration, removed by Rep. Spillane.

HB 1610-FN, legalizing the possession and cultivation of marijuana for personal use, removed by Rep. Sylvia.

HB 1414, repealing the home education advisory council, removed by Rep. Hoell.

HB 1497, relative to the limits on disclosure of information used on college entrance exams, removed by Rep. Ladd.

HB 1143, relative to showing a ballot, removed by Rep. Rideout.

HB 1144-L, relative to notice for sessions of correction of the check list, removed by Rep. Bates.

HB 1466, relative to labeling requirements for certain homestead food operations, removed by Rep. Hannon.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation, removed by Rep. Moore.

HB 1701-FN, relative to specialty care in drop-in or walk-in clinics, removed by Rep. Joe Sweeney.

HB 1370, relative to termination of tenancy, removed by Rep. Abramson.

HB 1126, limiting the authority of delegates to Article V conventions, removed by Rep. Hoell.

HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation, removed by Rep. Abramson.

HB 1359, relative to the tax credit for service-connected disability, removed by Rep. Estevez.

HB 1134, relative to open access to broadband infrastructure, removed by Rep. Abramson.

HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, removed by Rep. Abramson.

HB 1422-FN, creating an exemption from the business profits tax for new businesses in New Hampshire, removed by Rep. Estevez.

Consent Calendar adopted.

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. OUGHT TO PASS WITH AMENDMENT. Rep. Frank Edelblut for Children and Family Law. This bill establishes as the starting point in a custody proceeding that it is in the best interest of the child, barring extenuating circumstances such as abuse or neglect, that both parents have continuing substantive involvement in the child's life. A large body of research in this area establishes that shared parenting arrangements result in lower risks of fear, aggression or depression, behavioral problems and risky behaviors. Vote 14-0.

Amendment (0801h)

Amend RSA 461-A:6, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) In the absence of an agreement between the parties, or a determination of the parental rights and responsibilities for each child under subparagraph (a), the court shall issue an order that provides for continuing contact between each parent and the minor child or children and for the shared parenting responsibilities of child-rearing and encouraging the love, affection, and contact between the minor child or children and the parents regardless of marital status, unless the court makes explicit findings that such contact is not in the best interest of the child. There shall be a rebuttable presumption that shared parenting and shared residential rights and responsibilities are in the best interest of the child or children.

Amend the bill by replacing section 3 with the following:

3 New Paragraph; Parental Rights and Responsibilities; Definition of Shared Parenting. Amend RSA 461-A:1 by inserting after paragraph VII the following new paragraph:

VIII. "Shared parenting" means an arrangement by which:

- (a) A child has comparable time with each parent appropriate to (i) the developmental age and status of the child, (ii) the child's routine schedule of school and other activities, (iii) holidays and other child-centered special events, and (iv) the parent's availability to fulfill parenting responsibilities; and
- (b) The child's material, developmental, educational, and emotional needs are provided by the parents according to the parents' individual capability.

AMENDED ANALYSIS

This bill:

I. Provides a list of factors the court may consider in determining parental rights and responsibilities.

II. Establishes a presumption in favor of shared parental rights, including residential responsibility.

III. Permits the court to modify parental rights and responsibilities based on the best interest of the child.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws. OUGHT TO PASS WITH AMENDMENT.

Rep. Debra DeSimone for Children and Family Law. This bill and amendment simply changes the word "incapacitated" to "vulnerable." It was the testimony heard from a multitude of departments and councils that this change would be a less disagreeable term to those who are "vulnerable." Vote 13-0.

Amendment (0670h)

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-11 to read as 3-12, respectively:

2 Elderly and Adult Services; "Incapacitated" Changed to "Vulnerable." Amend the introductory paragraph of RSA 161-F:46 to read as follows:

Any person, including, but not limited to, physicians, other health care professionals, social workers, clergy, and law enforcement officials, suspecting or believing in good faith that any adult who is or who is suspected to be [incapacitated] vulnerable has been subjected to abuse, neglect, self-neglect, or exploitation or is living in hazardous conditions shall report or cause a report to be made as follows:

Amend RSA 161-F:49, I(a) as inserted by section 3 of the bill by replacing it with the following:

(a) "Individual" means an individual, 18 years of age or older, [found eligible for or receiving services pursuant to RSA 171-A, RSA 135-C:13, RSA 135-C:14, RSA 161-E, RSA 161-I, or programs licensed under RSA 151:2, I(b), (e), or (f), or] who is [an incapacitated] a vulnerable adult, as defined under RSA 161-F:43, VII.

HB 1237, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children. OUGHT TO PASS.

Rep. Jeffrey Oligny for Children and Family Law. Despite many attempts by the court to help resolve family conflict over many years, the committee still hears many complaints about high conflict in family court. The majority believe enough evidence exists to support the bill and potential enhanced default systems which may better serve New Hampshire families. Vote 10-2.

HB 1279, relative to grounds for termination of parental rights. OUGHT TO PASS.

Rep. Skip Berrien for Children and Family Law. This bill terminates the parental rights of a parent convicted of murder or manslaughter of the other parent or the child's sibling when the child was born after the parent's conviction. Vote 11-0.

HB 1105, establishing a committee to study third party mortgage processors. OUGHT TO PASS. Rep. Edward Butler for Commerce and Consumer Affairs. In the process of analyzing recent fraud and Ponzi schemes, such as the Financial Resources Mortgage (FRM) debacle, questions have been raised about whether the state is appropriately regulating third party mortgagers. Focused effort is needed to understand this issue better. This study is designed to accomplish this goal. Vote 17-2.

HB 1111, relative to securities advisory councils and committees. INEXPEDIENT TO LEGISLATE. Rep. Harold French for Commerce and Consumer Affairs. After deliberations, the committee determined, that creating an entire new state entity under the Secretary of State was not the best nor most effective way to handle complaints of possible fraud in the sale of securities. Vote 19-0.

HB 1150, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill is an attempt to add a new section to RSA 382-A:1-311, creating a penalty of negligence with liability for damages equal to triple the value of the contract as defined in the Uniform Commercial Code (UCC), if there is failure to deliver any part of the property included in a contract to any purchaser. The committee feels that there are many remedies available in law that address a breach of contract relative to goods purchased and the UCC is not the appropriate place to add this provision since the Consumer Protection Act already has triple damages. Vote 20-0.

HB 1152, relative to the definition of specialty beer. OUGHT TO PASS.

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill, as introduced, raises the allowable alcohol by volume content in specialty beers from 12 to 21%. The committee felt that this was a good bill and people should be able to buy the same specialty beers in NH that they can acquire in other states. This bill also bypasses the previous requirement for approval of the Liquor Commission for beers with content over 12%, which should save the state time and money. Vote 20-0.

HB 1160-FN, relative to licensing spas and salons to serve alcoholic beverages. INEXPEDIENT TO LEGISLATE.

Rep. Rebecca McBeath for Commerce and Consumer Affairs. This bill establishes a license for spas and salons to serve alcoholic beverages. The committee was concerned about who should be included in the bill since many businesses, not just spas, might give away free alcohol to their customers. Defining and ultimately enforcing this license seems to be problematic so the committee decided to not pass this bill. Vote 17-0.

HB 1169, prohibiting bank fees for on-line accounts. INEXPEDIENT TO LEGISLATE.

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill is an attempt to prohibit in-state banks from charging fees for an accessible on-line account. This bill is not necessary, as most banks that provide on-line banking do not charge any transaction fees. Vote 20-0.

HB 1194, relative to medical benefits under motor vehicle insurance. INEXPEDIENT TO LEGISLATE. Rep. Edward Butler for Commerce and Consumer Affairs. The intent of this bill was to clarify the process for billing for ambulance services. However, this legislature looked at this issue a few years ago and made the necessary changes. The Insurance Department provided the necessary information and assistance to the constituent. Therefore this bill is not needed. Vote 19-0.

HB 1195, relative to prepayment contracts for petroleum products. OUGHT TO PASS.

Rep. John Hunt for Commerce and Consumer Affairs. Under a recently adopted law, oil and propane companies are barred from soliciting pre-pay contracts for the next heating season until after May of that year. Given that some municipalities and school districts can't wait until May, this bill removes this restriction and permits fuel companies to sign contracts, as long as the initial contact is from the customer and not the fuel dealer. Vote 18-1.

HB 1206, relative to limited credits. REFER FOR INTERIM STUDY.

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill updates RSA 179:13, by requiring wine manufacturers as well as wholesale distributors, brewpubs, nano breweries, beverage vendors and beverage manufacturers to report to the Liquor Commission when a payment to them from another licensee is delinquent. The Liquor Commission then informs all holders of these licensees of the delinquent licensees, thereby restricting any delivery of beverages to these licensees until payments are made. These payments must also be reported to the Liquor Commission, who will again inform all. The Liquor Commission states that this information aids them in identifying those licensees who may be under financial stress. Because of the complex nature of RSA 179:13, and to ensure all licensees, manufacturers, distributors and retailers are considered for equal treatment, as well as the timely nature of all reporting, the committee agreed unanimously to refer this bill for Interim Study. Vote 19-0.

HB 1211, relative to requirements for certain alcoholic beverage licenses. OUGHT TO PASS WITH AMENDMENT.

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill, as amended, allows former felons who have served their time for crimes committed, to access employment opportunities at restaurants and other liquor serving establishments without the approval of the Liquor Commission. Under current law, everyone from the bartender, to the doorman, to the dishwasher must seek approval from the Liquor Commission if they have a previous felony on their record. The majority of the committee felt that this requirement was not only unnecessary but also counter to state policy of promoting access to gainful employment for all Granite Staters. Vote 19-1.

Amendment (0638h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 License Qualifications. Amend RSA 178:3, VII(b) to read as follows:
- (b) The applicant and any person listed pursuant to subparagraph V(b) are at least 21 years of age and *the applicant is* of sufficiently good character to leave no substantial doubt that the proposed business shall be operated in strict accordance with all applicable state and federal alcoholic beverage control laws and rules.
 - 2 Repeal. The following are repealed:
 - I. RSA 178:3, VII(e), relative character of managers.
 - II. RSA 179:23, V-VI, relative to approval of employees convicted of felonies.
 - 3 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill eliminates restrictions on being employed by a liquor licensee based on felony convictions and character.

HB 1264, relative to carnival or amusement ride inspections. **OUGHT TO PASS WITH AMEND- MENT.**

Rep. Harold French for Commerce and Consumer Affairs. The majority of the committee felt that this legislation brings uniformity to inspection forms to be used in the amusement ride industry. This uniformity will make it easier for operators to remain in compliance with filing such forms with the state as required. In addition, this bill increases the insurance coverage amounts to a level more in line with today's requirements. Vote 19-1.

Amendment (0640h)

Amend RSA 321-A:2-a, I(a)(4) as inserted by section 3 of the bill by replacing it with the following:

(4) By the operator, daily on days of operation and prior to operation, using an inspection form developed by the [director, which form] manufacturer, or if no such form exists, one approved by the director. Completed inspection forms shall be kept by the owner of the ride for a period of 2 years and shall be made available and open to inspection and copies shall be furnished to the commissioner or his or her agents upon request.

Amend RSA 321-A:2-a, I(b)(2) as inserted by section 4 of the bill by replacing it with the following:

(2) [By an agent of the commissioner not less than 90 days and not more than 120 days after the inspection required by subparagraph (1).

(3)] By the operator on each day of operation, prior to operation, using the inspection form developed by the manufacturer, or if no such form exists, one approved by the director. [director. The form shall be forwarded to the director on a weekly basis, or upon relocation of the ride, whichever occurs first.] The completed inspection forms shall be retained by the owner of the ride for a period of 2 years and shall be made available and open to inspection and copies shall be furnished to the commissioner or his or her agents upon request.

Amend RSA 321-A:5, III(a) as inserted by section 6 of the bill by replacing it with the following:

(a) A certificate of insurance showing the operator as a named insured and confirming that insurance has been issued and is in force providing coverage for specified equipment or devices in a minimum amount of [\$300,000 per person] \$1,000,000 per occurrence and [\$1,000,000] \$2,000,000 aggregate. Such certificate shall include the provision that coverage shall remain in effect until the expiration date or if canceled by the insurer prior to the expiration date for any reason, the cancellation shall not take effect until 20 days after written notice received by the director that said certificate is being canceled and the reason or reasons for such cancellation.

Amend RSA 321-A:5, IV(a) as inserted by section 7 of the bill by replacing it with the following:

(a) A certificate of insurance showing the operator as a named insured and confirming that insurance has been issued and is in force providing coverage for specified equipment or devices at specified locations, in a minimum amount of [\$100,000 per person] \$1,000,000 per occurrence and [\$300,000] \$2,000,000 aggregate. Such certificate shall include the provision that coverage shall remain in effect until the expiration date or if canceled by the insurer prior to the expiration date for any reason, the cancellation shall not take effect until 20 days after written notice received by the director that said certificate is being canceled and the reason or reasons for such cancellation.

AMENDED ANALYSIS

This bill requires carnival or amusement ride operators to make inspection forms available to the commissioner of the department of safety.

This bill also makes changes to the required insurance coverage for carnival or amusement ride operators.

HB 1307, relative to the procedure for amendment of condominium instruments. OUGHT TO PASS. Rep. Kermit Williams for Commerce and Consumer Affairs. When a condominium community votes to change its bylaws or other legal instruments, they are sometimes required to request approval from the mortgage holders for individual units in the development. When the mortgage holder was the bank downtown, this process was easy, but today mortgages are bought and sold on a daily basis and mortgage holders are often huge financial firms who have little interest in the affairs of a New Hampshire condominium association. This bill gives the mortgage holder a reasonable 60 days to respond to the request, after which the request is deemed approved. Vote 18-2.

HB 1316, relative to hospital rates for self-pay patients. OUGHT TO PASS.

Rep. John Hunt for Commerce and Consumer Affairs. Under current law, self-pay patients at a hospital can get the same discounts as someone who has health insurance. This bill clarifies who is self-pay - which means a patient seeking care at a hospital who does not have any form of insurance, including, but not limited to, health insurance, Med Pay coverage, or any other liability coverage. Vote 20-0.

HB 1403, relative to reinsurance. OUGHT TO PASS.

Rep. Edward Butler for Commerce and Consumer Affairs. In 2013, the New Hampshire Insurance Department (NHID) modernized the standards governing credit for reinsurance by adoption of

the National Association of Insurance Commissioners (NAIC) credit for reinsurance model law. Adoption of this model law is an NAIC accreditation standard. When the NAIC model law was adopted in 2013, NHID inadvertently deleted the section regarding required insolvency clauses standards for reinsurance contracts (previously RSA 405:49). These standards had been in place since 2004. This legislation simply returns those same insolvency clause standards back into law. Vote 17-2.

HB 1409, relative to life, accident, and health insurance. OUGHT TO PASS WITH AMENDMENT. Rep. John Hunt for Commerce and Consumer Affairs. At the request of the Insurance Department, this bill makes technical corrections to the life, accident and health insurance statutes, including repealing redundant statutes. Vote 18-1.

Amendment (0437h)

Amend the bill by deleting section 2 and renumbering the original sections 3-9 to read as 2-8, respectively:

Amend the bill by replacing section 8 with the following:

- 8 Effective Date.
 - I. Sections 4-6 of this act shall take effect upon its passage.
 - II. Section 7 of this act shall take effect 30 days after its passage.
 - III. The remainder of this act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill makes various changes in the laws relating to life, accident, and health insurance.

HB 1410, relative to motor vehicle coverage. OUGHT TO PASS WITH AMENDMENT.

Rep. John Hunt for Commerce and Consumer Affairs. At the request of the Insurance Department, this bill makes technical corrections to the auto insurance statutes, such as corrections to statutory references. The amendment addresses who is included under coverage for a vehicle not owned by the insured by clarifying that coverage includes certain relatives who reside in the same household. Vote 19-0.

Amendment (0629h)

Amend RSA 259:61, II as inserted by section 1 of the bill by replacing it with the following:

II. Which further provides indemnity for or protection to the named insured, [and to the spouse of such named insured as insured if a] any relative of the named insured by marriage, blood, or adoption who is a resident of the same household, or [the private chauffeur or] any domestic servant acting within the scope of the employment of any such named or resident insured [with respect to the presence of any such insured in any other motor vehicle.] from liability as a result of accidents which occur [in New Hampshire] within the limits of the United States of America, its territories or possessions, and the Dominion of Canada due to the [driving] operation of any motor vehicle, trailer, or semi-trailer not owned in whole or in part by such insured; provided, however, the insurance afforded under this paragraph applies only if no other valid and collectible insurance is available to the insured.

HB 1437, relative to health insurance fraud and abuse reporting. INEXPEDIENT TO LEGISLATE. Rep. Joseph Hannon for Commerce and Consumer Affairs. The bill requires health insurance carriers to establish a fraud and abuse detection system and to investigate any health insurance claim or series of claims for services that are suspected to be the result of health care provider billing fraud and abuse. Under this bill, the health insurance carrier shall report suspected fraud or abuse to the fraud investigation unit. Fraud and abuse programs have been, and are currently being developed by insurance companies. It is in the best interests of the companies to do this in ways that are best for them and their customers. Vote 18-0.

HB 1450, relative to risk-based capital for insurers. OUGHT TO PASS.

Rep. Edward Butler for Commerce and Consumer Affairs. This bill simply changes the calculation of risk-based capital within annual life and/or health insurance reports from a 2.5 multiplier to 3. This is now the national standard with which all states comply. Vote 17-1.

HB 1459, relative to commercial coverage. OUGHT TO PASS WITH AMENDMENT.

Rep. John Hunt for Commerce and Consumer Affairs. This bill is a request of the Insurance Department and makes certain changes to the laws governing property and casualty insurance. Changes include

revising the definition of 'large commercial policyholder.' These policyholders are exempt from some insurance regulations. The bill also extends the time frame for approval of an extra 30 days for policies that are in the nonconforming market. Vote 18-0.

Amendment (0674h)

Amend RSA 412:15, IV(b) and (c) as inserted by section 2 of the bill by replacing them with the following:

(b) No greater than plus or minus 40 percent of the insurer's base rates.

AMENDED ANALYSIS

This bill makes certain changes to the laws governing property and casualty insurance.

HB 1473, relative to small loans. INEXPEDIENT TO LEGISLATE.

Rep. Kermit Williams for Commerce and Consumer Affairs. When the Banking Department presented a bill last year to recodify the small loan statute, they neglected to point out two small changes to the law that were included in the legislation. In order to ensure that the legislature was aware of these changes, the department requested this bill to repeal the provisions this year. The committee felt that the changes were acceptable and provide some additional protection to small loan borrowers, and voted unanimously to recommend the bill be found Inexpedient to Legislate. Vote 18-0.

HB 1491, relative to trust fund interest. INEXPEDIENT TO LEGISLATE.

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would mandate that any interest earned through a deposit into a trust fund would be returned to the depositor. Notwithstanding the difficulty for the many NH businesses who take deposits and the difficulty they would have in calculating the interest earned, the committee learned that there are trust funds, like the IOLTA (Interest on Lawyer Trust Accounts), in which the interest earned is not returned to the depositor but rather is used to provide legal services for those unable to afford them otherwise. The committee determined that services provided through such a program are valuable to our communities and therefore voted this bill Inexpedient to Legislate. Vote 18-0.

HB 1516-FN, relative to balance billing. REFER FOR INTERIM STUDY.

Rep. David Luneau for Commerce and Consumer Affairs. An insured patient who obtains medical services from an in-network provider, such as a hospital, may end up having services performed by a doctor who is not a member of the insurance carrier's network. Under current law, there is nothing to prevent these doctors from billing the patient for the difference between their normal charge and the amount the doctor was paid by the patient's insurance carrier. Balance billing, as it is known, often can follow an emergency procedure, but it can happen following any medical procedure. The committee recognizes as a problem that patients should not be billed for procedures that otherwise would be covered by their insurance and seeks to work with health care providers and insurance carriers to find a solution. Vote 18-0.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission. OUGHT TO PASS.

Rep. Harold French for Commerce and Consumer Affairs. After careful consideration of this legislation, the committee recommended that the House adopt it. This bill assists real estate brokers licensed in NH by codifying what is the practical and existing practice in the sale and leasing of commercial real estate. It clears up, within existing statute, certain ambiguities that have been a hindrance to the industry in the past. Vote 17-0.

HB 1601, relative to certain continuing care communities. OUGHT TO PASS WITH AMENDMENT. Rep. Richard Abel for Commerce and Consumer Affairs. This bill directs that the Commissioner of Insurance shall not prescribe by rule or otherwise require submission of an actuarial report from any facility which does not offer a contract in which all or part of the risk of uncertain future health care costs is borne by the facility and not the resident. The amendment clarifies the language in the original bill. Vote 17-0.

Amendment (0008h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Certain Continuing Care Communities. Amend RSA 420-D:7 by inserting after paragraph III the following new paragraph:

IV. Notwithstanding paragraph II, the commissioner shall not prescribe by rule or otherwise require submission of an actuarial report from any facility which does not offer a contract in which all or part of the risk of uncertain future health care costs is borne by the facility and not the resident.

AMENDED ANALYSIS

This bill declares that any continuing care community which charges an entrance fee but which does not assume risk of uncertain future health care costs shall not be required to submit actuarial studies to the insurance department.

HB 1617, relative to funding for housing projects by the New Hampshire housing finance authority. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill requires that the NH Housing Authority conduct a market study prior to authorizing a proposed housing development. It was reinforced for the committee that such studies are always done for proposed new developments. In the specific situation that engendered this bill, a total of 4 studies were done in an effort to answer questions raised by interested parties. Therefore, the committee believes that this bill is not needed. Vote 15-1.

HB 1618, relative to debt adjustment services. OUGHT TO PASS WITH AMENDMENT.

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill recodifies and modernizes existing laws regulating debt adjustment services by modifying the definition of debt adjustment to match industry models and by restructuring the statute to match other statutes enforced by the NH Banking Department. The committee amendment restores an exemption that is in current law. Vote 17-0.

Amendment (0811h)

Amend RSA 399-D:1, IX(f) as inserted by section 1 of the bill by replacing it with the following:

- (f) Any person that serves as an intermediary between a debtor and one or more creditors of the debtor for the purpose of obtaining concessions.
 - (1) An intermediary includes but is not limited to any person that:
 - (A) Engages in the business of mortgage loan loss mitigation; and
 - (B) Is not subject to RSA 397-A or RSA 397-B.
- (2) An intermediary does not include any person specifically exempted pursuant to RSA 397-A:4 or RSA 397-B:10.

Amend the bill by replacing section 2 with the following:

- 2 Exemptions; Debt Adjustment Services. Amend RSA 479-B:11, I(g) through (h) to read as follows:
- (g) A nonprofit organization or government entity that offers counseling or advice to homeowners in foreclosure or loan default, if the organization is not directly or indirectly related to and does not contract for services with for-profit lenders, foreclosure consultants, or pre-foreclosure purchasers; [or]
- (h) A creditors' committee or trustee participating in a place of reorganization or repayment through a proceeding under the jurisdiction of the United States Bankruptcy Court[-] or
 - (i) A person licensed to engage in the business of debt adjustment under RSA 399-D.

HB 1700-FN, relative to abuse-deterrent opioid drug products. INEXPEDIENT TO LEGISLATE. Rep. John Hunt for Commerce and Consumer Affairs. This bill requires insurers to include in their formulary an abuse-deterrent alternative for each opiate on the formulary, where one is available. Considering that the committee has endorsed HB 1608 the Prior Authorization form legislation and the fact that health plans have some of these already on their formularies, the committee accepted the sponsor's recommendation that the legislation was no longer necessary. Vote 17-0.

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections. **OUGHT TO PASS.**

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill requires an audit of the sex offender treatment program in the Department of Corrections. Testimony revealed that the sex offender treatment program has both laudable results as well as areas of concern. All the testimony was in favor of this bill, from the Department of Corrections to former inmates. The audit will be conducted by the Audit Division of the Legislative Budget Assistant's office, which will submit its findings within 9 months of the bill's effective date. Vote 11-0.

HB 1235, relative to stalking. INEXPEDIENT TO LEGISLATE.

Rep. John Burt for Criminal Justice and Public Safety. This bill redefines "course of conduct" in the stalking statute. This bill seeks to amend RSA 633:3-a, which reads in part: "nor shall it include conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person." The committee understood this language was added to law many years ago so a person that had a "legitimate" reason to be at a place - a local grocery, gas station, children's school - would not be charged for stalking if another person had an issue and wanted to file a stalking charge. The committee heard a lot of testimony from the one woman that wanted this bill and the committee felt if the woman was afraid of her ex-spouse that she could have filed a domestic violence charge. Vote 17-0.

HB 1266, legalizing firecrackers and smoke bombs. OUGHT TO PASS WITH AMENDMENT. Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill as amended legalizes the sale of firecrackers. The statute which prohibits the retail sale of firecrackers (RSA 160-B:16-b) was last revisited in 2004. Since that time the size and quantity of gunpowder contained therein has been reduced. Based upon the documented testimony provided, the committee determined that the explosive power of mortar firecrackers does not present the level of danger they once did. Vote 9-3.

Amendment (0412h)

Amend the title of the bill by replacing it with the following:

AN ACT legalizing firecrackers.

Amend the bill by replacing sections 2-3 with the following:

- 2 Repeal. RSA 160-B:16-b, relative to the prohibition on the retail sale of firecrackers, is repealed.
- 3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill legalizes the sale of firecrackers.

HB 1287, repealing a provision of the harassment statute. OUGHT TO PASS.

Rep. John Burt for Criminal Justice and Public Safety. This bill repeals a section of the harassment statute, RSA 644:4 l(f), that was struck down as unconstitutional by the New Hampshire Supreme Court in the case of State v. Pierce, 152 N.H. 790 (2005). The Supreme Court struck the law down on free speech grounds, holding that it violated Part I, Article 15 of the New Hampshire Constitution. Vote 17-0.

HB 1305, relative to the use of an ignition interlock device after a license suspension. OUGHT TO PASS WITH AMENDMENT.

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill was discussed at length by the committee regarding the benefits to the safety of New Hampshire drivers. The bill as amended provides that a person requesting a restricted license shall have an enhanced technology interlock device installed for a period of one year, thus providing the ability of the driver to work and support the family while modifying the driver's behavior involving drinking and driving. Vote 12-1.

Amendment (0346h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of an ignition interlock device.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Limited Driving Privilege; Ignition Interlock Program. Amend RSA 263:57-b by inserting after paragraph V the following new paragraph:

VI. As a condition of receiving a limited privilege license, the person shall agree to be subject to the ignition interlock program for one year immediately following restoration of driving privileges.

- 2 New Subparagraph; Use of Mobile Electronic Devices While Driving. Amend RSA 265:79-c, II by inserting after subparagraph (c) the following new subparagraph:
 - (d) To perform any action required by an ignition interlock device.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires a person receiving a limited privilege license to be subject to the ignition interlock program for one year after restoration of driving privileges. This bill also establishes an exemption from the prohibition on the use of mobile electronic devices while driving for actions required by an ignition interlock device.

HB 1327, relative to the statute of limitations for continuing violations of trespass. INEXPEDIENT TO LEGISLATE.

Rep. David Welch for Criminal Justice and Public Safety. This bill excepts continuing violations of trespass from the 3-year statute of limitations for personal actions. No one spoke in favor of the bill, so the committee voted to dispense with the bill accordingly. Vote 13-1.

HB 1343, prohibiting the retroactive application of the sex offender registry. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. Although this bill was very brief, it garnered a lot of testimony, both for and against. Much of the testimony centered on Doe v. State of NH which was decided by the New Hampshire Supreme Court on February 12, 2015. This decision weighed the punitive nature of the sex offender registry versus its regulatory nature. While the decision partially upheld and partially struck down a lower court decision, the court did not expressly forbid the retroactive use of the sex offender registry, as it was originally held to be regulatory in nature and not ex post facto punishment. Many of the problems argued arise from subsequent changes to RSA 651-B. As written, this bill does not meet any need relative to correcting any ex post facto issues. Other testimony, from the Department of Safety and from domestic violence groups also opposed this bill, and the Department of Safety advised this bill has the potential of removing 900 offenders from the registry without any further review. Additionally, other bills may deal with the issues raised in Doe, but this one does not. Vote 11-5.

HB 1344, prohibiting the sale or possession of sky lanterns. INEXPEDIENT TO LEGISLATE. Rep. David Welch for Criminal Justice and Public Safety. Sky lanterns are devices sold in many retail outlets that are powered by heat from a combustible source. The bag-shaped lantern rises as the heat builds up within the bag and when the heat source is extinguished the bag floats down. There is no flame when the combustible material is consumed. The state fire marshal has ruled these sky lanterns as "recreational fire" and suggests that they be tethered by a string so that they are attended. The committee saw no need to prohibit their sale or possession. Vote 12-0.

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill amends the statute that provides that a uniformed law enforcement officer during a routine stop must notify the party of the fact that he or she is being recorded. The added language states it must be done "where it is reasonable or practicable under the circumstances." This is because there are times when it may not be reasonable, such as when the party is intoxicated or under duress or when the situation makes notification difficult or impossible, such as during a confrontation or an accident. The amendment changes the effective date to upon passage. Vote 14-0.

Amendment (0415h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

HB 1369, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. **INEXPEDIENT TO LEGISLATE.**

Rep. John Martin for Criminal Justice and Public Safety. This bill requires the sentencing court to grant a prisoner's petition for earned time credits whenever the prisoner has substantially reduced, through self-improvement efforts, the threat he or she poses to the public. This legislation mixes the person's behavior with these efforts and that is not the intent. The bill also does not define any methodology or risk assessment procedure to determine whether the prisoner no longer poses a threat to the public. In addition, we have not had enough time under the existing law to determine any correlation between granting earned time credit with reduction in recidivism, including the possibility of reduction of threat or risk. This bill also requires judges to grant petitions for earned time credits from prisoners. The use of the word "shall" removes the discretion from the judge. It sets a bad precedent for a judge's decisions to be dictated by the legislature and is a blurring of the principle of separation of powers. Vote 16-1.

HB 1381-FN, legalizing the sale of smoke bombs. **OUGHT TO PASS WITH AMENDMENT.** Rep. David Welch for Criminal Justice and Public Safety. This bill as introduced would have repealed the prohibition on the sale or use of smoke bombs. If that had happened military canisters of smoke

would have been allowed. The amendment amends the statute which allows small smoke devices sold as permissible fireworks and limits the sale to those 21 and older. The devices have been illegally sold in other retail outlets but now are only available from licensed fireworks dealers. Vote 12-1.

Amendment (0416h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the sale of smoke bombs.

Amend the bill by replacing all after the enacting clause with the following:

1 Smoke Bombs. Amend RSA 644:16-b, II to read as follows:

II. With the exception of persons or groups, including law enforcement organizations, who use smoke bombs for training purposes or to protect property or lives, and with the exception of smoke bombs sold or offered for sale by a person licensed to sell permissible fireworks pursuant to RSA 160-C, any person who sells, barters, lends, or gives to any person a smoke bomb and any person who uses a smoke bomb in a public place shall be guilty of a violation.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill creates an exception for the sale or use of smoke bombs by a person licensed to sell permissible fireworks.

HB 1415, relative to escape from official custody. OUGHT TO PASS.

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill clarifies current law so that if a person escapes from official custody, confinement pursuant to a court order, from a jail, prison, house of correction or juvenile custody they are guilty of a class B felony. This bill corrects a prior omission from the statute from several years ago where those persons released from a correctional institution pursuant to administrative home confinement or any treatment program or other place as directed by the commissioner or sentencing court were inadvertently left out of the statute. Vote 13-0.

HB 1426-FN, relative to earned time credits for prisoners participating in rehabilitative or educational programming. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill expands a program initiated in 2014 which allows prisoners who earn degrees to be granted time off their minimum and maximum sentences. The bill adds master's degree and doctorate degree to the list of programs. The Department of Corrections agrees with the amended bill. The costs for these programs are borne by the prisoner or the prisoner's family and participation is determined by the prisoner's behavior. Vote 17-0.

Amendment (0681h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to earned time credits for prisoners participating in educational programming. Amend RSA 651-A:22-a as inserted by section 1 of the bill by replacing it with the following: 651-A:22-a Earned Time Credits.

- I. The commissioner, after reviewing a prisoner's record, shall award to a prisoner or recommend that the prisoner receive a one-time reduction in his or her minimum and maximum sentences for successful completion of each of the following programs while incarcerated:
 - (a) Education Programs:
- (1) [GED] High School Equivalency Certificate 90 day reduction in the prisoner's minimum sentence and 90 day reduction in the prisoner's maximum sentence.
- (2) High School Diploma 120 day reduction in the prisoner's minimum sentence and 120 day reduction in the prisoner's maximum sentence.
- (3) Associate's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (4) Bachelor's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (5) Master's Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.
- (6) Doctorate Degree 180 day reduction in the prisoner's minimum sentence and 180 day reduction in the prisoner's maximum sentence.

- (b) Vocational Programming. A prisoner who successfully completes a vocational program that is authorized and approved by the department or who successfully completes a vocational program that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a reduction of [up to] 60 days in his or her minimum sentence and a reduction of [up to] 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.
- (c) Mental Health Programming. A prisoner who meaningfully participates in recommended or mandated mental health and/or substance use treatment that is authorized and approved by the department or that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.
- (d) Participation in Family Connections Center Programming. A prisoner who is a parent and who meaningfully participates in the programming offered by the Family Connections Center that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.
- II. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated on or after the effective date of this section and who have been granted this option by the presiding justice at the time of sentencing. The earned time reductions authorized in paragraph I of this section shall be available to prisoners who were incarcerated prior to the effective date of this section upon recommendation of the commissioner and upon approval of the sentencing court in response to a petition which is timely brought by the prisoner.
- III. The earned time reductions authorized in paragraph I of this section shall only be earned and available to prisoners while in the least restrictive security classifications of general population and minimum security. The earned time may be forfeited for involvement or membership in a security threat group, attempted escape, escape, or commission of any category A offense listed in the department of corrections policy and procedure directives.
- IV. The earned time reductions granted under this section shall not exceed [13] 21 months off the prisoner's minimum sentence and [13] 21 months off the prisoner's maximum sentence.

HB 1492, regarding individual privacy when law enforcement agencies use body-worn cameras. **INEXPEDIENT TO LEGISLATE.**

Rep. David Welch for Criminal Justice and Public Safety. The subject matter contained in this bill is already covered in a previous bill which has passed the House (HB 617). The sponsor requested that the committee find this bill Inexpedient to Legislate. Vote 11-0.

HB 1506, establishing a committee to study the use of solitary confinement in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. The bill is unnecessary, as it does not address issues or conditions in New Hampshire. The anecdotal evidence presented in testimony to the committee referred to practices in other states. Solitary confinement is not a condition of confinement used by the NH Department of Corrections (DOC) or the various counties, as was presented in extensive testimony by the Assistant Commissioner of the Department of Corrections, Helen Hanks. It appears that prior to the introduction of this legislation not enough research was done or attempts made to reach out to DOC or the counties to review facilities or processes. Additionally, the committee felt there is insufficient time for a study committee. Vote 11-0.

HB 1507, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. John Martin for Criminal Justice and Public Safety. This bill is unnecessary, as it does not address issues or conditions that arise in New Hampshire. Solitary confinement, as repeatedly described, is not a condition of confinement used in the New Hampshire Department of Corrections (DOC) or the various counties. The anecdotal evidence presented in testimony to the committee referred to practices in other states. The Laaman consent decree, DOC policy and procedures, and standards from the American Correctional Association all address conditions of confinement. Further,

prior to the introduction of the legislation, none of the sponsors had researched or reached out to the DOC or counties to review facilities or processes. One of the prison housing units mentioned in the bill did not even have the segregated space targeted by the bill. Enactment of this bill would be a solution searching for a problem and would squander precious time and resources. If there is a question relative to the county jails, the county delegations are able to arrange tours and inspect every area behind the walls. The DOC has been forthcoming with information and accessibility. The committee has had opportunities to tour the Men's Prison in Concord and meet with inmates unsupervised. Every area and housing unit was available for inspection and no areas exist that fit the description in the proposed legislation. The facility in Berlin has made it a practice, since it opened, to return problematic inmates to Concord, and they are not equipped with an area to totally segregate an inmate. Vote 9-2.

HB 1525-FN, relative to the circumstances that constitute indecent exposure and lewdness. INEX-PEDIENT TO LEGISLATE.

Rep. John Burt for Criminal Justice and Public Safety. This bill expands the indecent exposure law to include the anus (regardless of gender) as well as the nipple and areola (only if female). The committee heard testimony from many who warned that, due to likely acts of civil disobedience, the state would face expensive court fees should this become law. The NH Civil Liberties Union testified that violation of such a law could be considered protected political speech, indicating that the state would be unsuccessful in litigation. The committee sees no sense in passing a law that cannot be enforced. The committee also believes that this bill violates Part I, Article 2 of the State Constitution, which states "Equality of rights under the law shall not be denied or abridged on account of race, creed, color, sex or national origin." This bill attempts to apply a law to women only. This bill would also place police officers in the uncomfortable position of having to determine the gender of a potential offender. Lastly, an offender (if convicted) would be listed in the state's sex offender registry after a second conviction, which many considered to be an excessive punishment. In a state with an average temperature of only 46 degrees, the risk of rampant nudity seems rather low. The committee considers this legislation Inexpedient to Legislate for these reasons. Vote 19-0.

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill as amended will provide that all first responders, not just police, cannot be impersonated without penalty of law. First responders are granted access to emergency scenes or critical infrastructure not granted to untrained and unauthorized persons. Individuals with malicious intent target these roles for impersonation because of the unrestricted access they may obtain. This puts the private citizens at a great risk in many various ways. The committee, with a near unanimous vote, is seeking to plug up this loophole in our laws. Vote 16-1.

Amendment (0603h)

Amend the bill by replacing section 1 with the following:

1 Penalty; Impersonation of a Firefighter. Amend RSA 154:9 to read as follows: 154:9 Penalty.

I. If any person present at a fire, emergency or service call, at or to which the fire department is responding shall refuse or neglect to obey the commands of any member who is recognized as, or should have been recognized as, a member of the fire department, or shall unlawfully assume the office or badge of office of a fire chief, fire officer or firefighter, such person shall be guilty of a violation.

II. Any person who knowingly and falsely assumes or exercises the functions, powers, duties, or privileges incident to the position of firefighter of any city, town, or private fire department, or any other firefighter or fire investigator employed by any state, county, or political subdivision of a state or county, or who wears or displays without authority any uniform, badge, or other identification by which such firefighter or investigator is lawfully identified, and with the intent to be recognized as such, shall be guilty of a class B felony. This paragraph shall not apply to a retired firefighter who wears apparel with his or her former station's insignia upon it.

Amend RSA 153-A:21-a as inserted by section 2 of the bill by replacing it with the following:

153-A:21-a Emergency Medical Technicians and Paramedics; False Personation. Any person who knowingly and falsely assumes or exercises the functions, powers, duties, or privileges incident to the position of emergency medical technician or paramedic of any city, town, or private entity, or any emergency medical technician or paramedic employed by any state, county, or political subdivision of a state or county, or who wears or displays without authority any uniform, badge, or other identification by which such emergency medical technician or paramedic is lawfully identified, and with the intent to be recognized as such, shall be guilty of a class B felony.

HB 1597-FN, relative to preservation of biological material in a criminal investigation for DNA testing. INEXPEDIENT TO LEGISLATE.

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill as introduced would require an investigating agency to preserve any biological material obtained in connection with a criminal or delinquency investigation or prosecution for five years from the date of conviction or adjudication, or as long as any person connected with that case or investigation remains in custody, whichever is longer. The testimony of the state police's criminal lab was that modern techniques in DNA testing do not require maintaining all biological material collected to have an accurate chain of evidence. Additional time costs of preserving all biological material collected would be astronomical. Vote 15-0.

HB 1598-FN, relative to the penalty for driving while intoxicated, third or subsequent offense. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would require the indefinite revocation of the driver's license of any person convicted of a third driving while intoxicated offense. There was no testimony in favor of the bill and two witnesses testified against the bill. Additionally, the Department of Safety took no position. The committee believes that changes to current law are unnecessary. Vote 13-0.

HB 1603-FN, requiring the registration of drug dealers. INEXPEDIENT TO LEGISLATE.

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. The committee was presented with compelling testimony that such a registry will do nothing to alleviate NH's drug crisis but will add additional administrative duties to state and local law enforcement. Further, given the Drug Task Force's work, it is increasingly clear that we need to treat the issue of drug addiction as a public health issue and NOT as a criminal justice issue. Law enforcement already has records of those convicted of drug trafficking. Vote 15-0.

HB 1606-FN, relative to unlawful sale or possession of alcoholic beverages. **INEXPEDIENT TO LEGISLATE**.

Rep. John Martin for Criminal Justice and Public Safety. This bill would have allowed the consumption of beer and wine by 18 to 20 year olds while under the supervision of a "responsible" adult over the age of 21. While its stated intent is to facilitate the introduction of alcohol to 18 to 20 year olds in a responsible, supervised manner, it does nothing of the kind. There is no way to quantify what a "responsible" adult is, let alone a 21 year old. There was very little support for this bill. The scenario of 18 to 20 year olds drinking beer and wine under the supervision of a 21 year old would be a fair description of a fraternity party or an underage home drinking party. This bill would only serve to encourage underage drinking and essentially legalize irresponsible behavior. Vote 9-2.

HB 1613-FN, relative to criminal prosecution for those charged with prostitution. INEXPEDIENT TO LEGISLATE.

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill attempts to adjust criminal penalties for clients of prostitution, while ignoring the other party to the activity. This one-sided approach is not an appropriate way to address any changes in NH prostitution laws. Vote 15-1.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age. OUGHT TO PASS.

Rep. David Welch for Criminal Justice and Public Safety. This bill makes it a crime for a person to pay to engage in sexual contact with a person under the age of 18. It also makes it illegal to observe a sexually explicit performance involving a person under the age of 18. The committee unanimously supported passage of the bill. Vote 12-0.

HB 1654-FN, relative to flying drones near correctional facilities. OUGHT TO PASS WITH AMENDMENT.

Rep. John Martin for Criminal Justice and Public Safety. This bill, as amended, prohibits, with certain exceptions, the flying of a drone over or close to the environs of a jail or prison under penalty of a class A misdemeanor. This bill was at the request of the Department of Corrections after several intrusions by drones over department facilities. Such intrusions could facilitate an avenue for the introduction of contraband and this bill becomes another tool in assuring security. It also allows for the proper authorities to operate a drone over the facility for security purposes or authorize the operation by other parties under certain conditions. Vote 11-2.

Amendment (0390h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to flying a drone above a correctional facility.

Amend the bill by replacing section 1 with the following:

1 New Section; Breaches of the Peace; Flying a Drone Above a Correctional Facility. Amend RSA 644 by inserting after section 21 the following new section:

644:22 Flying a Drone Above a Correctional Facility.

I. Except as otherwise provided in this section, no person shall fly a drone in the airspace above a state or county correctional facility or municipal jail. Any person who violates this section shall be guilty of a class A misdemeanor.

II.(a) State, county, or municipal correctional authorities may fly a drone above a correctional

facility over which they have control for security purposes.

(b) State, county, or municipal correctional authorities may authorize a request by a person to fly a drone above a correctional facility over which they have control, provided the person:

(1) Requests permission from the appropriate correctional authority;

- (2) Is authorized by the Federal Aviation Administration to operate a drone for commercial purposes; and
 - (3) Operates the drone in a manner that complies with the authorization.

III. In this section:

- (a) "Airspace" means the space above the ground on which a state or county correctional facility or municipal jail is sited.
 - (b) "Drone" means a powered, aerial vehicle, excluding a geosynchronous satellite, that:

(1) Does not carry a human operator;

- (2) Uses aerodynamic forces to provide vehicle lift;
- (3) Can fly autonomously or be piloted remotely; and
- (4) May be expendable or recoverable.
- (c) "Person" means an individual, corporation, organization, and for-profit or not-for-profit entities.

AMENDED ANALYSIS

This bill prohibits, with certain exceptions, a person from flying a drone above a state or county correctional facility or a municipal jail.

HB 1692-FN, revising the procedures relating to parole violation and parole revocation. INEXPEDIENT TO LEGISLATE.

Rep. John Martin for Criminal Justice and Public Safety. This bill would have lengthened the term of incarceration for a parole violation from 90 days to 2 years, and eliminated provisions for bail for a parole violator arrested pursuant to this bill. Testimony was largely opposed to this bill, as it would have contributed greatly to crowding conditions in the State Prison and limited options for the Adult Parole Board in dealing with offenders. There can be many mitigating circumstances in a parole violation that cannot be dealt with by a "one size fits all" solution, and decisions of this nature are best left to the parole department and the Adult Parole Board. Vote 16-0.

HB 1121, relative to the academic areas that comprise the statewide assessment. OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Ladd for Education. The annual statewide assessment is currently administered to students in grades 3-8 and grade 11 in the academic areas of reading and language arts, mathematics and science. The statewide assessment program also requires the state to assess history, geography,

civics and economics; however, these academic areas have never been tested by the state either in the old NECAP or the current Smarter Balanced systems. This bill directs statutory responsibility for assessment of history, geography, civics and economics to the local level. It is the recommendation of the education committee, although equally important, that assessment in these critical areas of study is best provided and should appropriately remain within the purview of the local school board. Vote 16-1.

Amendment (0554h)

Amend RSA 193-C:5 as inserted by section 1 of the bill by replacing it with the following:

193-C:5 Areas of Assessment. The statewide academic areas to be assessed shall include [, but not be limited to:] reading and language arts, mathematics, and science [, history, geography, civics, and economics]. History, geography, civics, and economics remain critical areas of study. Therefore, assessment of these subjects remains within the purview of the local school board. The statewide assessment program shall only measure student understanding of key content-specific concepts, skills, and knowledge applied within or across academic content domains.

HB 1137, relative to the adoption of school administrative unit budgets. INEXPEDIENT TO LEGISLATE.

Rep. Terry Wolf for Education. This bill amends the alternative budget procedure in a school administrative unit and requires that the warrant article for the school administrative unit budget state the cost per pupil per fiscal year under the proposed budget. School districts currently are able to state the cost per pupil per year in a budget proposal. This bill is not necessary. Vote 20-0.

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. **OUGHT TO PASS.**

Rep. Ralph Boehm for Education. This bill establishes a committee to look into why students in K through 3 are being suspended from school. Last year there were 101 kindergarten students suspended. A total of 523 students in K through 3. We need to find out why. Is it because of a school's zero tolerance policies? We even heard of a kindergarten student suspended for sexual harassment – for tickling another student. School policies on this matter need attention. Vote 20-0.

HB 1201, relative to withdrawal from a cooperative school district. INEXPEDIENT TO LEGISLATE. Rep. James Grenier for Education. Breakup of, or withdrawal from a cooperative school district presents challenging financial and educational issues. The intent of this bill will be addressed in an amended version of HB 1303. HB 1303 has been amended to a study commission and will address multiple aspects of withdrawal from a cooperative school district. Vote 20-0.

HB 1205, including libraries that provide children's programming in the definition of drug-free school zone. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. This bill includes libraries with children's programming in the definition of "drug-free school zones." The committee believes this bill is not necessary because the language of existing law allows for the designation of drug-free zones through policy established by local government and law enforcement agencies. Vote 18-0.

HB 1239, relative to certain terminology in the education statutes. OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Ladd for Education. This bill as amended cleans up statutory language in regard to difficult to understand terminology in RSA 186:8, 193-C, and 193-E. Amending language states that it is the responsibility of the local level to identify and implement skills and knowledge included in curriculum. Academic standards mean what a student should know and be able to do at each grade level. Curriculum means the lessons and academic content taught in school or in a specific course or program. Past statutes have unclearly referenced educational and curriculum standards. This bill uses common terminology throughout statute when referencing standards, and the terms used are "academic standard" or "minimum standards." All other references to "standards" have been removed with all references to curriculum assigned to schools or school districts. Vote 19-0.

Amendment (0581h)

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Rulemaking Authority. Amend RSA 186:8 to read as follows:

186:8 Rulemaking Authority; Standards; Employee Qualifications. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to:

I. Academic standards for all grades of the public schools.

II. Minimum [curriculum and educational] standards for public school approval [standards] for all grades of the public schools.

[H-] III. Qualifications and duties for school superintendents, principals, school administrative

unit professionals and other public school employees.

[HH:] IV. Certification standards for educational personnel, including those listed in RSA 21-N:9, II(s), provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, provide for recertification based on another state's procedures if the other state's professional development plan is approved by the New Hampshire department of education.

[W:] V. Establishing requirements for teachers and teacher preparation programs to ensure that all teachers are prepared to teach to a broad range of students' needs, including, but not limited to,

the needs of exceptional learners.

[V.] VI. Certification standards for advanced teaching credentials, including administering the

master teacher credential as provided in RSA 189:14-f.

[VI.] VII. Appeals from a school board on the matter of nonrenewal of teacher contracts, providing that the appeal to the state board of education shall be limited to the record developed at the school board hearing, except where the state board of education determines that new evidence is available which could not have been reasonably discovered at the time of the school board hearing and that such evidence may have materially affected the outcome of the school board hearing. In such cases, the state board of education shall render a final decision in the matter or remand it to the school board for a new hearing.

[VII.] VIII. Requiring a high school pupil to attain competency in mathematics for each year in which he or she is in high school through graduation to ensure career and college readiness. A pupil may meet this requirement either by satisfactorily completing a minimum of 4 courses in mathematics or by satisfactorily completing a minimum of 3 mathematics courses and one non-mathematics content area course in which mathematics knowledge and skills are embedded and applied, as may be approved by the school board. The rules shall be implemented in the 2015-16 school year.

2 Duties of the State Board of Education. Amend RSA 186:11, IX(a) to read as follows:

(a) Direct the department to develop [curriculum frameworks] academic standards to serve as a guide and reference in health, physiology, and hygiene as they relate to the effects of alcohol and other drugs, child abuse, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system, and which are designed to help students lead longer, healthier lives.

3 Statewide Education and Improvement and Assessment Program; Statement of Purpose. Amend

RSA 193-C:1, II-III to read as follows:

II. A statewide education improvement and assessment program built upon the establishment of [educational] academic standards specifying what students should know and be able to do is an important element in educational improvement. Such a program also serves as an effective measure of accountability and student performance when the assessment exercises or tasks are valid and appropriate representations of the [eurriculum standards] knowledge and skills that students are expected to achieve.

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of [educational] academic standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement methods to enable students to acquire and apply the requisite knowledge and skills.

4 Statewide Education Improvement and Assessment Program; Program Established. Amend RSA 193-C:3, III(a)-(b) to read as follows:

(a) [Educational] Academic standards specifying what students should know and be able to do shall be clearly defined before assessment procedures and exercises are developed.

- (b) The assessment exercises or tasks shall be valid and appropriate representations of the *academic* standards the students are expected to achieve.
- 5 Statewide Education Improvement and Assessment Program; Program Established. Amend RSA 193-C:3, IV(a) to read as follows:
- (a) At the student level, by students, parents, and teachers, to determine what the student knows and is able to do in relationship to the state-established *academic* standards.
 - 6 Adequate Public Education; Policy and Purpose. Amend RSA 193-E:1 to read as follows:

193-E:1 Policy and Purpose.

- I. It is the policy of the state of New Hampshire that public elementary and secondary education shall provide all students with the opportunity to acquire the knowledge and skills necessary to prepare them for successful participation in the social, economic, scientific, technological, and political systems of a free government, now and in the years to come; an education that is consistent with the [curriculum] minimum standards for public school approval, the state-established academic standards [and student proficiency standards specified in state school approval rules and New Hampshire], and school district or school curriculum [frameworks].
- II. Respecting New Hampshire's long tradition of community involvement, it is the purpose of this chapter to ensure that appropriate means are established to provide an adequate education through an integrated system of shared responsibility between state and local government. In this system, the state establishes[,through] minimum standards for public school approval, [and student proficiency standards] and [curriculum guidelines,] academic standards [the framework] for [the] inclusion and delivery of educational services at the local level. School districts then have responsibility and flexibility in implementing diverse educational approaches to instruction and curriculum tailored to meet student needs.

7 Adequate Public Education; Substantive Educational Content of an Adequate Education. Amend RSA 193-E:2-a, IV-VI to read as follows:

IV. The *minimum standards for public* school approval [standards] for the areas identified in paragraph I shall constitute the opportunity for the delivery of an adequate education. The general court shall periodically, but not less frequently than every 10 years, review, revise, and update, as necessary, the *minimum* standards identified in paragraph I and shall ensure that the high quality of the *minimum* standards for public school approval in each area of education identified in paragraph I is maintained. Changes made by the board of education to the school approval standards through rulemaking after the effective date of this section shall not be included within the standards that constitute the opportunity for the delivery of an adequate education without prior adoption by the general court. The board of education shall provide written notice to the speaker of the house of representatives, the president of the senate, and the chairs of the house and senate education committees of any changes to the school approval standards adopted pursuant to RSA 541-A.

V. The general court requires the state board of education and the department of education to institute procedures for maintaining, updating, improving, and refining [eurriculum frameworks] the minimum standards for public school approval for each area of education identified in paragraph I. Each school district shall be responsible for maintaining, updating, improving, and refining curriculum. The curriculum [frameworks] shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies, and knowledge called for by the [academic] minimum standards for public school approval for each area of education identified in paragraph I. [The curriculum frameworks shall serve as a guide and reference to what New Hampshire students should know and be able to do in each area of education. The frameworks do not establish a statewide curriculum.] It is the responsibility of local teachers, administrators, and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the [frameworks] curriculum, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and the materials to be used.

VI. In this section[7]:

- (a) ["School approval standards"] "Minimum standards for public school approval" mean the applicable criteria that public schools and public academies shall meet in order to be an approved school, as adopted by the state board of education through administrative rules.
- (b) "Academic standards" mean what a student should know and be able to do at each grade level.

- (c) "Curriculum" means the lessons and academic content taught in school or in a specific course or program.
 - 8 Adequate Public Education; Accountability. Amend RSA 193-E:3-c, III(a) to read as follows:
- (a) Performance on state [tests] assessments administered pursuant to RSA 193-C and, upon the prior approval of the department, other assessments administered at local option that are consistent with the state's [curriculum] academic standards.
- 9 Adequate Public Education; Performance-Based Accountability System. Amend RSA 193-E:3-c, VI to read as follows:
- VI. The department shall annually prepare a detailed report documenting the results of each school on the performance-based school accountability system to be developed pursuant to RSA 193-E:3-c, and identifying all schools that can demonstrate the opportunity for an adequate education through the performance-based methodology. The report shall be submitted no later than [October +] January 15 annually to the same individuals receiving the final report under paragraph IV. [The initial report shall be due October 1, 2012.]
 - 10 Effective Date. This act shall take effect 60 days after its passage.
- HB 1240, relative to alternatives to the statewide assessment. INEXPEDIENT TO LEGISLATE. Rep. James Grenier for Education. The intent of this bill is to reduce the number of times a statewide assessment would be administered in grades 3-8 at NH public schools. Additionally, the bill allows a locally developed assessment for those years when a statewide assessment is not required. While there is broad consensus that statewide assessment should not be administered in each of grades 3-8 the uncertainty of the impact of new federal legislation, Every Student Succeeds Act, (ESSA) precludes the possibility of pursuing the intent of this bill. Vote 17-0.

HB 1283, relative to school notification of a change in placement. OUGHT TO PASS.

Rep. Rick Ladd for Education. This bill requires the New Hampshire Department of Health and Human Services or any other state department to notify a school as soon as possible when initiating or placing a child in an out-of-home placement that results in attendance at another school. Transitions such as this should be accomplished in accordance with a developed transition plan that reduces emotional and mental impact to the child. Vote 18-0.

HB 1303, relative to withdrawal from a cooperative school district. OUGHT TO PASS WITH AMENDMENT.

Rep. Christopher Adams for Education. There are over 50 cooperative districts comprised of almost 250 individual towns in New Hampshire. Each cooperative district has a unique set of "Articles of Agreement" that describe the conditions and circumstances under which they will operate their cooperative. These agreements were entered into under the statute applicable at the time of the agreements. Changes to current statutes without full consideration to the multitude of complex circumstances would be injudicious at this time. Therefore, the committee has agreed to form a comprehensive commission to help recommend potential legislation. Vote 20-0.

Amendment (0683h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Commission to Study Issues Relating to Pre-existing Districts Withdrawing from a Cooperative School District. Amend RSA 195 by inserting after section 31 the following new subdivision:

Commission to Study Issues

Relating to Pre-existing Districts Withdrawing from a Cooperative School District.

195:32 Commission Established.

- I. There is established a commission to study issues related to pre-existing districts withdrawing from a cooperative school district. The membership of the commission shall be as follows:
- (a) Three members from the house of representatives, 2 of whom shall serve on the education committee, and one of whom shall serve on the finance committee, appointed by the speaker of the house of representatives.
 - (b) One member from the senate education committee, appointed by the senate president.

- (c) The commissioner of the department of education, or designee.
- (d) The commissioner of the department of revenue administration, or designee.
- (e) Two school board members from cooperative school districts, appointed by the governor.
- (f) Two superintendents from cooperative school districts, appointed by the governor.
- (g) One member from the New Hampshire School Administrators Association, appointed by that association.
- (h) One member from the New Hampshire School Boards Association, appointed by that association.
- (i) One member from the New Hampshire Council of School Attorneys, appointed by that association.
 - (j) One member from the public, appointed by the governor.
- II. The commission shall study issues relating to the withdrawal of pre-existing districts from their cooperative school district, including:
- (a) The procedure for withdrawal, including the procedure for both initiating a withdrawal study and the procedure for approval of any proposed withdrawal plan.
 - (b) How assets are determined, valued, and apportioned among the pre-existing districts.
- (c) The nature and scope of the withdrawal plan created according to RSA 195:26, including the liability of the withdrawing pre-existing district pursuant to RSA 195:27 and the disposition of any property pursuant to RSA 195:28.
 - (d) Any other issue which the commission deems relevant to the objective of the study.
- III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- IV. The department of education and house committee research staff shall provide clerical, administrative, and research services to the commission as may be needed.
- V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Eight members of the commission shall constitute a quorum.
- VI. The commission shall file an interim report on or before January 1, 2017, and shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2017.
- 2 Repeal. RSA 195:32, relative to the commission to study issues relating to pre-existing districts withdrawing from a cooperative school district, is repealed.
 - 3 Effective Date.
 - I. Section 2 of this act shall take effect November 2, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

HB 1323, relative to nonrenewal of a teacher's contract. INEXPEDIENT TO LEGISLATE.

Rep. James Grenier for Education. This bill would amend RSA 189:14-a (Failure to be Renominated or Reelected) to eliminate the condition that a person "have taught one or more years in the same school district." This change was contrary to the "intent" of the bill, "to require justification for not renominating a non-tenured teacher." The actual "intent" of the bill was addressed. After such testimony, there was not sufficient evidence to justify a change of existing statute. Vote 19-0.

HB 1364, relative to the membership of the cooperative school district budget committee. INEX-PEDIENT TO LEGISLATE.

Rep. James Grenier for Education. A study commission for withdrawal from a cooperative school district has been established in a related amended bill. The membership of the cooperative school district budget committee will be addressed by that commission. Vote 20-0.

HB 1366, relative to the definition of educational competencies. INEXPEDIENT TO LEGISLATE. Rep. James Verschueren for Education. The bill proposes to limit student assessment, whether standard assessment or competency-based assessment, to a single content domain. As written, the

bill is internally inconsistent as it includes "science" as a single domain which it clearly is not. In addition, the bill proposes to further limit assessment by removing assessment of a student's ability to apply key concepts across academic content domains. Testimony before the committee characterized the changes as fundamentally changing competency-based education and removing local control by restricting what a school board may wish to assess. The committee found no positive purpose to support this bill. Vote 18-1.

HB 1372, permitting a child with a disability to use audio or video recording devices in the class-room. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. Last year HB 507 (Chapter 71, Laws of 2015) regarding teacher protections and privacy was passed and signed. A portion of the bill dealt with recordings in the classroom and it had unintended consequences. This bill clarifies that special needs students may use recording devices, if needed, and that recording for instructional purpose is also acceptable. As amended, it also allows recording of student teachers after notification to classroom parents. Vote 20-0.

Amendment (0459h)

Amend RSA 189:68, V as inserted by section 1 of the bill by inserting after subparagraph (b) the following new subparagraph:

(c) Nothing in this section shall preclude the use of audio or video recordings for use in the instruction of teacher interns or student teachers after written notification to the parent or legal guardian of each affected student as to the purpose of, and privacy policy for, the recordings.

HB 1379, amending the requirement to use English in schools. INEXPEDIENT TO LEGISLATE. Rep. James Grenier for Education. This bill would allow a private school to educate a student exclusive of English. A student might then transfer to a public school with no knowledge of English and would then be a financial burden to the public school district. Vote 19-1.

HB 1408-FN, relative to a school building inventory. OUGHT TO PASS.

Rep. Rick Ladd for Education. This bill requires the New Hampshire Department of Education (DOE) to conduct a statewide school building inventory to gather basic data and information on the condition of public school buildings. In July 2000, the DOE released the Turner Report related to the condition and adequacy of school facilities. Although the survey had limitations, it did contain useful information covering the condition of 391 school buildings throughout NH. In an effort to obtain needed data to better understand our current situation, this bill enables the department to acquire data and information that includes, but is not limited to: demographic shifts, structural condition, fire and life safety code compliance, building operational costs, HVAC systems, suitability of instructional space and equipment to prepare students for later careers and more. The survey will cost no money as information can be gathered and assessed using online technology and staff in place at the department and schools. Vote 19-1.

HB 1411, making civics mandatory in public schools. INEXPEDIENT TO LEGISLATE.

Rep. Christopher Adams for Education. This bill provides that a half-year course in civics shall be required for high school graduation. It was determined by the committee that this bill, while laudable in intention, was duplicative of current statute and Ed 306 rules and therefore unnecessary. Vote 19-1.

HB 1431, relative to academic freedom and whistleblower protection. INEXPEDIENT TO LEGISLATE.

Rep. Rick Ladd for Education. It is the committee's position and that of the Community College System and the University System that this bill is not needed because: 1) NH Law already has a whistleblower protection act, 2) academic freedom is protected in the constitution, and 3) those protections are reflected in contracts. Vote 18-2.

HB 1456, relative to chartered public school boards. INEXPEDIENT TO LEGISLATE.

Rep. Victoria Sullivan for Education. This bill requires the members of a charted public school board of trustees to be appointed by the Governor with the advice and consent of the council. Appointment and membership of charter school boards of trustees is already referenced in existing law. Charter schools have unique mission statements that are reflected in the make-up of their boards. Present law is working and should not be changed to a more complicated process. Vote 17-0.

HB 1457, establishing a code of professional ethics for New Hampshire teachers. REFER FOR INTERIM STUDY.

Rep. Robert Elliott for Education. This bill establishes a code of professional ethical standards and practices for teachers. The committee feels very strongly that we need a code of ethics for all NH teachers. Regardless, 16 members felt there are some issues in this legislation that need further clarification, especially in the area of new technology and electronics. Smart phones, computers, which are personal electronic devices, have raised new social, political and religious issues which need careful consideration. Interim Study provides the committee members the opportunity to review and identify professional responsibilities for the teaching profession as it relates to communities, students, parents, the profession and public. Vote 19-1.

HB 1458, relative to social media policies for educational institutions. INEXPEDIENT TO LEGISLATE.

Rep. Ralph Boehm for Education. This bill amends legislation passed into law last year, HB 142, (Chapter 270, Laws of 2015) Educational Institution Policies in Social Media. The bill makes reference to Home Education, but this section of law based upon HB 142 was not intended to affect Home Education students. Current law provides all the protection necessary for students and the NH School Board Association developed needed policies for the law. Vote 18-0.

HB 1558-FN, requiring the university system of New Hampshire to examine the disposition of children in state custody. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for Education. This bill requires the University System of New Hampshire (USNH) to conduct a child welfare study, the objective of which shall be to analyze the disposition of children in state custody. This is not the job of USNH. The Executive Branch of government is responsible for overseeing its own agencies. This kind of study will only cause financial distress on the already burdened University System. Also, the time limit placed in the bill is not reasonable for any such study. If a study is needed, it needs to be done by the Governor's office and not the University System. Vote 20-0.

HB 1114, relative to the number of inspectors of election. OUGHT TO PASS.

Rep. James Gray for Election Law. This bill would limit the number of inspectors of election appointed by the political parties to 2 per party at each polling place regardless of the number of voters. Statute provides that the moderator may appoint additional workers. Vote 17-0.

HB 1183, relative to election result recounts. INEXPEDIENT TO LEGISLATE.

Rep. Adam Schroadter for Election Law. This bill seeks to improve the recount process for close elections by requiring that all candidates involved in the election and present agree to end the recount. However, the committee became concerned about unintended consequences and costs associated with high-number candidate elections such as state representative elections for large districts. Vote 17-0.

HB 1220, relative to disqualification of election officers. OUGHT TO PASS.

Rep. James Gray for Election Law. This bill would clarify the statute which states election officials whose names are on the ballot for another position may perform their duties within the restrictions specified. Vote 17-0.

HB 1223, relative to changes of address on election day. OUGHT TO PASS.

Rep. James Gray for Election Law. This bill clarifies the wording of RSA 659:13 I (a) with regard to a change of address identified to the ballot clerks on election day. It requires that a change of address be recorded rather than corrected. Vote 19-0.

HB 1265, permitting municipalities to adopt a system of approval voting. **INEXPEDIENT TO LEGISLATE**.

Rep. Yvonne Dean-Bailey for Election Law. This bill significantly changes our current electoral process by permitting towns to change to a method called approval voting for a primary election. Approval voting would allow voters to vote for multiple candidates for one office instead of only one candidate. If this is allowed, some towns would then be using different voting methods which would cause significant confusion. This would greatly change our method of electing candidates and the committee saw no pressing reason to allow municipalities to make this change. Vote 18-0.

HB 1377, relative to receipt of absentee ballots. OUGHT TO PASS WITH AMENDMENT. Rep. Kathleen Souza for Election Law. This bill facilitates the delivery of absentee ballots to the polls by adding "ward clerk" to those officials able to accept them. It also provides that absentee ballots delivered by a voter's spouse, parent, sibling, or child must be received by the town, city, or ward clerk by 5:00 p.m. on election day. Vote 18-0.

Amendment (0247h)

Amend the bill by replacing section 1 with the following:

1 Absentee Voting: Procedure by Voter. Amend RSA 657:17 to read as follows:

657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind voter shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit. The voter or the person assisting the blind voter shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter shall then endorse on the outer envelope his or her name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it or have it delivered by the voter's spouse, parent, sibling, or child to the city or town clerk from whom it was sent. The city or town clerk, or ward clerk on election day at the polls, shall not accept an absentee ballot from a family member unless the family member completes a form provided by the secretary of state, which shall be maintained by the city or town clerk, and the family member presents a government-issued photo identification or has his or her identity verified by the city or town clerk. Absentee ballots delivered through the mail or by the voter's spouse, parent, sibling, or child shall be received by the town, city, or ward clerk no later than 5:00 p.m. on the day of the election.

HB 1378, relative to disabled voters requiring assistance. OUGHT TO PASS WITH AMENDMENT. Rep. James Gray for Election Law. Absentee ballots are currently used prior to election day to assist voters who cannot access the polling place due to a physical disability. This bill codifies the absentee ballot process to be used on election day for voters who are physically unable to access the polling place. The committee unanimously recommends approval. Vote 17-0.

Amendment (0496h)

Amend RSA 659:20-a as inserted by section 1 of the bill by replacing it with the following:

659:20-a Assistance in Voting; Disabled Voter. Any voter who declares to the moderator under oath that said voter is unable to access a polling place due to physical disability, after appearing at the polling place location to vote in person shall, upon the voter's request, have an absentee ballot delivered to the voter outside the guardrail by the town or ward clerk or one of his or her assistants. The absentee ballot delivered by the town or ward clerk shall be delivered and processed using the same procedures as any other absentee ballot except that the voter shall be treated on the marked checklist as having voted in person.

HB 1387, relative to vacancies in county offices. INEXPEDIENT TO LEGISLATE.

Rep. James Gray for Election Law. The committee believes that vacancies in county offices should not be filled by a secret ballot at the county convention. Since the county delegation represents the citizens, the voters have a right to know how their representatives vote. Vote 15-0.

HB 1467, relative to notice of village district elections. OUGHT TO PASS WITH AMENDMENT. Rep. Barbara Griffin for Election Law. This bill provides minimum time periods for village districts to notify the supervisors of the checklist when they are having elections. There are a number of village districts in the state and this will eliminate local issues regarding adequacy of notice. Vote 19-0.

Amendment (0043h)

Amend RSA 670:5 as inserted by section 1 of the bill by replacing it with the following:

670:5 Warrant. Village district elections shall be warned by the commissioners in the same manner as town elections are warned by the selectmen as provided in RSA 669:2 and RSA 39. The commissioners shall give the supervisors of the checklist 60 days notice of any village district election.

AMENDED ANALYSIS

This bill requires commissioners to give notice of village district elections to supervisors of the checklist.

HB 1503, relative to distributing campaign materials at the polling place. **OUGHT TO PASS.** Rep. Duane Brown for Election Law. This bill helps to clarify, for the moderator and the general public, items that are deemed as electioneering and may not be distributed or posted within the building where an election is being held. It also prohibits any person from distributing such materials. Vote 15-2.

HB 1511-FN-L, relative to hours of polling. INEXPEDIENT TO LEGISLATE.

Rep. William Gannon for Election Law. The majority opposed this bill, as it is a 'one size fits all' approach. The needs of a small northern town differ greatly from the needs of a city. Forcing a town to stay open beyond their needs would be wrong. This bill would be more palatable if it had permissive language such as "may." This way a municipality could opt in or out to earlier or later hours as best fits the individual city or town needs. Vote 17-0.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. OUGHT TO PASS WITH AMENDMENT.

Rep. James Gray for Election Law. The bill, with the amendment, requires anyone who distributes absentee ballot applications to voters to identify who is responsible for distributing the applications. Vote 15-0.

Amendment (0721h)

Amend RSA 657:4, II(a) as inserted by section 1 of the bill by replacing it with the following:

II.(a) Any person, other than the city or town clerk or the secretary of state, that publishes, mails, or distributes in any manner any written communication that contains a form or post card which a reasonable person would consider as intended to be used by the recipient of the communication to submit a request for an absentee ballot shall identify who is publishing, mailing, or distributing the communication, and attach a copy of the form prepared by the secretary of state pursuant to paragraph I of this section to the communication or include in the communication a complete facsimile of the form prepared by the secretary of state pursuant to paragraph I of this section.

HB 1521, allowing voters to vote for multiple candidates for an office. INEXPEDIENT TO LEGISLATE.

Rep. Yvonne Dean-Bailey for Election Law. This bill significantly changes our current electoral process to the method of approval voting. Approval voting would allow voters to vote for multiple candidates for one office instead of only one. This would greatly change our method of electing candidates and the committee saw no pressing reason to make this change. Vote 18-0.

HB 1534, relative to reports of death of voters. OUGHT TO PASS.

Rep. Robert Luther for Election Law. This bill provides that deaths recorded in the statewide voter registration database can be the basis for the Town or City Clerk to notify the Supervisors of the Checklist of the change in a voter's status. Vote 17-0.

HB 1539-FN, relative to procedures for resolving ties in legislative races. INEXPEDIENT TO LEGISLATE.

Rep. James Gray for Election Law. This bill establishes a process for run-off elections in the event of a tie in a state legislative race. The committee believes that existing state law should not be changed. Vote 17-0.

HB 1624-FN, relative to electioneering by public employees. OUGHT TO PASS.

Rep. Barbara Griffin for Election Law. This bill modifies the applicability of the prohibition on electioneering by public employees by clarifying that the prohibition applies to equipment. Currently, the statute prohibits the use of government property which raises issues as to areas of public access such as the grounds of the State House or the lobby room of a public building. Vote 16-1.

HB 1642-FN-L, relative to persons executing election affidavits. INEXPEDIENT TO LEGISLATE. Rep. Barbara Griffin for Election Law. This bill, as proposed, addressed the verification of the identity of individuals who sign an election affidavit in the process of registering to vote on Election Day and do not provide photo identification. The committee understood that the state is currently responsible for verification after the election, and they do not have enough resources to do so. This bill required that the individual would be responsible for verifying his or her qualifications to vote within ten days after registering. Concerns were raised regarding the notice and process for the individual as provided in the bill as presented. Vote 14-3.

HB 1646, relative to the disclosure of felony convictions by individuals seeking an elected office. INEXPEDIENT TO LEGISLATE.

Rep. Adam Schroadter for Election Law. This bill introduced new language to the Declaration of Candidacy form in reaction to a well-publicized concern regarding felons and elections in Nashua. However, the form already requires candidates who have previously been convicted of a felony to declare that their sentence has been completed as required by RSA 607-A:2. The committee did not feel that the Declaration of Candidacy form was the correct place to address additional qualifications for candidacy. Vote 16-0.

HB 1679-FN, relative to electioneering by a public official. INEXPEDIENT TO LEGISLATE. Rep. Barbara Griffin for Election Law. The bill, as presented, was an attempt to prevent elected or constitutional officials from using government property or funding for electioneering. While the committee discussed that the intent of the proponents to ensure appropriate conduct was a legitimate issue, the bill, as worded, was inconsistent with wording in similar statutes. Further, concern was expressed that the determination of what conduct was covered would be subjective. Vote 17-0.

HB 1682-FN, relative to electioneering by public servants and relative to warrant articles. **INEX-PEDIENT TO LEGISLATE.**

Rep. James Gray for Election Law. The committee believes that the current law addressing electioneering by public employees does not need to be expanded. It further believes that the current laws relative to recommendations for special warrant articles provide useful information and should be retained. Vote 17-0.

HB 1141, defining "agritourism." OUGHT TO PASS WITH AMENDMENT.

Rep. Stephen Darrow for Environment and Agriculture. This bill is in response to a NH Supreme Court decision that said that agritourism is not part of the definition of agriculture in NH law. That decision has far-reaching implications for our farmers statewide. Agritourism is necessary to keep our farms viable by attracting customers to the farm to buy their products. It includes things like pick-your-own, hayrides, farm stays, and farm to plate meals. This bill with amendment puts the definition of agritourism into the definition of agriculture in RSA 21:34-a, II, thereby addressing the concerns of the court. Vote 17-0.

Amendment (0269h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Farm, Agriculture, Farming; Marketing. Amend RSA 21:34-a, II(b)(5) to read as follows:
- (5) The marketing or selling at wholesale or retail[, on-site and off-site, where permitted by local regulations,] of any products from the farm on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including but not limited to: eating meals, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.
 - 2 Repeal. RSA 21:34-a, VI, relative to the definition of agritourism, is repealed.
 - 3 Effective Date. This act shall take effect 60 days after its passage.

HB 1171, relative to appeals heard by the waste management council. OUGHT TO PASS.

Rep. John O'Connor for Environment and Agriculture. This bill makes corrections to which council hears appeals of decisions of the Department of Environmental Services regarding oil discharges to surface and ground waters and from underground storage facilities. RSA 146-A and 146-C are amended to direct such appeals to the Waste Management Council instead of the Water Council, or the Water Supply and Pollution Control Council which no longer exists. Vote 18-0.

HB 1354, establishing a committee to study livestock and meat inspection. OUGHT TO PASS WITH AMENDMENT.

Rep. Peter Bixby for Environment and Agriculture. This bill establishes a study committee to review RSA 427, Livestock and Meat Inspection. Parts of this chapter are inactive; other parts are unclearly written or outdated. The committee will review the chapter, consult stakeholders, remove unnecessary statutes, and rewrite others as needed in clear, concise language. The amendment reduces the number of senators to one. Vote 16-0.

Amendment (0547h)

Amend the bill by replacing section 2 with the following:

- 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

HB 1355, relative to poultry producers exempted from meat inspection requirements. OUGHT TO PASS. Rep. Peter Bixby for Environment and Agriculture. This bill raises the limit for on-farm poultry slaughter for sale to restaurants from the 1,000 birds in the existing statute to the federal limit of 20,000 birds. Farmers who slaughter under this exemption must first take a safe-slaughter workshop, and the slaughter facilities are subject to inspection by the United States Department of Agriculture (USDA), Food Safety Inspection Service. Vote 15-0.

HB 1398, establishing a commission to study septic sludge spreading. INEXPEDIENT TO LEGISLATE.

Rep. Christy Bartlett for Environment and Agriculture. This bill would establish a commission to study septic sludge spreading. The testimony, both oral and written, was overwhelmingly opposed to another study commission. The Department of Environmental Services is opposed to the bill and told us there were comprehensive studies done in 2003 and 2007. There is a great deal of awareness among those in the industry of what is contained in the septage and the rules and compliance needs are in place. The tanks are treated to kill pathogens and the liquids are filtered. Our committee did not hear that there was a problem that needed to be studied further at this time. Vote 18-0.

HB 1514, relative to the application of nitrogen and phosphorus content fertilizers. INEXPEDIENT TO LEGISLATE.

Rep. Christy Bartlett for Environment and Agriculture. This bill would exempt the sale of certain fertilizers sold in bulk from limitations of nitrogen and phosphorus content. We worked with the Department of Agriculture, Markets and Food to try to address concerns regarding inappropriate application of fertilizers that are affecting waterways and lakes. The bill is quite specific about the allowances and content and it would be difficult for manufacturers to meet only NH requirements. In addition, it does not appear that there is a lawful way to separate commercial applicators from homeowner consumers in retail sales. Finally, there is no enforcement mechanism to be used by the department. The committee has agreed to continue to work on the problem and address some of the concerns through public education. Vote 16-0.

HB 1571-FN, prohibiting the possession, purchase, or sale of equipment used for animal fighting. **INEXPEDIENT TO LEGISLATE.**

Rep. John O'Connor for Environment and Agriculture. The committee overwhelmingly agrees that animal fighting is inhumane. This bill attempts to use various types of paraphernalia found in the possession of a person, even without the evidence of any animal being present, as a basis for finding the person guilty of animal fighting and subject to a class B felony. Many legitimate animal handlers could be subject to this vague interpretation of law. This bill would presume that they are guilty and now are required to prove their innocence with no recourse. Currently, there are sufficient laws in statute to regulate any animal fighting that may occur. There have not been any instances of animal fighting in NH for many years. Vote 20-0.

HB 1615-FN, regulating the transfer of dogs from out of state. REFER FOR INTERIM STUDY. Rep. Robert Haefner for Environment and Agriculture. This bill licenses and regulates out of state transporters of dogs and cats who deliver pets for transfer into New Hampshire from out of state. Some of these transfers are under the radar such that the state does not know how many animals are

delivered to New Hampshire, where they go, their health or behavior. Those transfers that are done following the rules are known, whereas others are not, such as dogs sold in parking lots in our state. We are hearing of health and behavioral problems that may not be reported. While the committee believes we need to get a better handle on out of state transporters as some of neighboring states have done, we do not think the bill is ready for passage. We also have a problem with the fiscal note that says a new hire is needed, which the bill does not fund. The committee recommends unanimously that the bill be studied further to better prepare legislation for passage next term. Vote 20-0.

HB 1128, proclaiming the second week in September as Patriot Week. INEXPEDIENT TO LEGISLATE.

Rep. Peter Schmidt for Executive Departments and Administration. This bill requires the Governor to declare the second week of September of every year as Patriot Week. The sponsors anticipate that this will encourage appropriate activities to be included in all schools. While the committee recognizes the good intentions of the bill's sponsors, it does not see any significant need for, or benefit from, statutory intervention in this regard. We believe NH schools, students and citizens are already imbued with love for their state and country; and our towns and cities are, and should continue to be, the focal points of citizenship activities. Vote 14-2.

HB 1142, relative to employee compensation at certain hospitals. INEXPEDIENT TO LEGISLATE. Rep. J.R. Hoell for Executive Departments and Administration. The bill sought to limit the compensation of non-profit hospital CEOs to 100 times that of the lowest paid full-time employee. The testimony was about a prior non-profit hospital executive receiving over \$1 million, but that employee is no longer there and this is no longer the case. Concerns were raised by opponents of the bill that included that there were no appropriations for enforcement of the provision and that the definition sections was overly broad and even included "loans to be repaid." During the executive session, the committee felt that the government did not have any business regulating how much non-profits pay their employees. Furthermore, in 2012 the NH Attorney General's office funded a study on this particular issue: "Executive Compensation at New Hampshire's Non-Profit Hospitals." The New Hampshire Center for Public Policy Studies reviewed the New Hampshire's health care system and the finances of the state's hospitals and concluded, "The majority of non-profit hospitals in New Hampshire meet the IRS standards for executive compensation practices. Moreover, New Hampshire CEO compensation levels, on average, are roughly in line with those in other New England states." Vote 13-0.

HB 1167-FN, repealing the administrative procedure act. INEXPEDIENT TO LEGISLATE. Rep. John Sytek for Executive Departments and Administration. This bill would repeal the Administrative Procedure Act (RSA 541-A). At present, RSA 541-A specifies the process by which state agencies make rules that follow from and implement legislation. These rules are reviewed by the Joint Legislative Committee on Administrative Rules (JLCAR). JLCAR serves as a check and balance on executive actions, i.e. the agencies. Without RSA 541-A, there would not be guidance, restraint, or oversight on agency rulemaking. The consequence of such a repeal would have a devastating effect on the ability of state agencies to carry out the will of the legislature in rulemaking. Vote 12-0.

HB 1213-FN, repealing athletic trainer license requirements. **INEXPEDIENT TO LEGISLATE.** Rep. J.R. Hoell for Executive Departments and Administration. This bill would have repealed the licensing for athletic trainers. In order to be licensed, athletic trainers must have a four-year degree with a concentration in athletic training. The committee, with the agreement of the sponsor, determined that licensure should remain in place for these professionals. Vote 14-0.

HB 1226, relative to administration of pharmaceutical agents by optometrists. OUGHT TO PASS WITH AMENDMENT.

Rep. J.R. Hoell for Executive Departments and Administration. Currently optometrists are the only independently practicing licensed health professionals whose regulatory board does not fully control the list of medications they are allowed to prescribe. This bill completes the effort, started a number of years ago, of moving formulary decisions from a Joint Pharmaceutical Formulary and Credentialing Committee to the Board of Optometry. Because the Board of Optometry meets more often, it can make formulary decisions regarding new medications faster than current practice. The medicines that are involved are typically schedule III and schedule IV medications. The ophthalmologists objected to the bill as filed and worked with the optometrists on language upon which both parties agree. Vote 15-0.

Amendment (0136h)

Amend the bill by replacing sections 1 and 2 with the following:

1 Optometry; Definition; Pharmaceutical Agent. Amend RSA 327:1, III(j) and (k) to read as follows:

- (j) Non-steroidal anti-inflammatory agents approved pursuant to RSA 327:6-a, VI [and included in the formulary].
- (k) Anti-glaucoma agents [which are topically applied] provided that an optometrist may dispense or prescribe such agents if the optometrist has met the requirements of RSA 327:6-c.
- 2 Optometry; Authorization for Pharmaceutical Agents. Amend RSA 327:6-a, IV and V to read as follows:
- IV. Nothing in this section shall be construed to permit an optometrist to administer any pharmaceutical product by [intravenous] injection; or to administer, prescribe or dispense any pharmaceutical product designated as a [category] schedule I or schedule II controlled substance [defined by the United States Controlled Substances Act of 1970, as amended] under RSA 318-B:1-a; or to administer, prescribe or dispense any pharmaceutical product except for the diagnosis or treatment of disease or conditions of the human eye, adnexa or eyelids.

V. Notwithstanding any other provision of law, an optometrist who is certified to use pharmaceutical agents in the practice of optometry shall be permitted to administer diphenhydramine, epinephrine or an equivalent medication *administered by injection* to counter anaphylaxis or anaphylactic reaction. Amend the bill by inserting after section 5 the following and renumbering the original sections 6 and 7 to read as 7 and 8, respectively:

- 6 Treatment of Glaucoma; Topical Medical Therapy. Amend RSA 327:6-c, IV(b)(1) to read as follows:
- (1) The patient is experiencing documented progression of optic nerve damage or the patient develops documented and repeated progression of visual field loss on maximum tolerated *topical* medical therapy; or

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Peter Schmidt for Executive Departments and Administration. This bill is offered by the leadership of the Joint Legislative Committee on Administrative Rules (JLCAR) to address some procedural glitches in current regulatory language. As such, it is a housekeeping bill for the JLCAR to facilitate better communications between stakeholders and oversight boards. Vote 14-0.

Amendment (0194h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4, respectively:

3 New Paragraph; Rulemaking; Exceptions; Department of Transportation. Amend RSA 541-A:21

by inserting after paragraph VIII the following new paragraph:

IX. Rules of the department of transportation relating to the state bridge aid program or the state highway aid program adopted under rulemaking authority of the commissioner of the department, shall be exempt from RSA 541-A:12, III and may incorporate by reference the department of transportation's Standard Specifications for Road and Bridge Construction, Highway Design Manual, and Bridge Design Manual without specifying a date or edition for the content incorporated, as provided in RSA 234:5, II and RSA 235:14, II.

AMENDED ANALYSIS

This bill allows boards, commissions, and groups which are petitioned to adopt rules under RSA 541-A to have 30 days after the next scheduled meeting to respond to the petition. The bill also allows certain documents prepared by third parties and certain manuals of the department of transportation to be incorporated by reference in administrative rules.

HB 1246-FN, relative to speech-language assistants. OUGHT TO PASS WITH AMENDMENT. Rep. Andrew Christie for Executive Departments and Administration. This bill was requested by the Board of Speech Language Pathologists and has the full support of both the board and the Department of Education. The bill, with the amendment, exempts individuals employed in public and private schools from licensure if they work under the direction and supervision of a licensed speech-language pathologist or a certified speech-language specialist. Vote 14-0.

Amendment (0290h)

Amend RSA 326-F:2, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Individuals employed at a public school or nonpublic school approved by the department of education who do not act independently but work under the direction and supervision of a speech-language pathologist licensed under this chapter or a speech language specialist certified by the department of education.

HB 1255, designating May 19 as a Day of Compassion. INEXPEDIENT TO LEGISLATE.

Rep. Peter Hansen for Executive Departments and Administration. This bill would amend state law to require the Governor to proclaim May 19 as a Day of Compassion on an annual basis. The bill was intended to encourage teachers in the state to cultivate compassionate thinking and actions through programs such as assemblies, classroom exercises, or other age appropriate means. The committee was deeply impressed by the sponsor's concern for the wellbeing of our young people, her sincere intentions, and informative delivery of the potential affects passage of the bill would yield. The majority of the committee felt that while the merits of the idea were worthy, the subject matter could be best taught on a continuing basis by parents and through existing educational programs. Vote 13-1.

HB 1294, relative to exemptions from licensure as a massage therapist. OUGHT TO PASS WITH AMENDMENT.

Rep. J.R. Hoell for Executive Departments and Administration. Bowen Therapy uses very light touch to align the autonomous nervous system to allow the body to heal itself. The current statutes currently exempt polarity therapy and therapeutic touch from regulation under the massage theory statutes. This bill would just add this one additional therapeutic treatment to the list of exempt practices. No one showed up in opposition to the bill and the practitioners spoke about national standards that were already in place to oversee this technique. The committee saw no harm in removing this technique from regulation under the massage therapy practice act. Vote 16-0.

Amendment (0128h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

HB 1357, relative to the duties of the department of cultural resources. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill, with the amendment, establishes the Division of Film and Digital Media within the Department of Cultural Resources. The mission of this division is to market and promote film, video and digital media production for the purpose of strengthening the cultural, educational and economic impact of media production in New Hampshire. The committee heard testimony that these media forms are becoming a more vibrant part of our economy and as such require resources dedicated to amplifying and enhancing the contributions of this sector. Support for this legislation is intended to recognize an important part of our economy. Vote 13-1.

Amendment (0288h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; General Functions of the Department of Cultural Resources. Amend RSA 21-K:2, II by inserting after subparagraph the following new subparagraph:

(e) Marketing and promotion of film and digital media for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

2 New Subdivision; Division of Film and Digital Media Established. Amend RSA 21-K by inserting after section 24 the following new subdivision:

Division of Film and Digital Media

21-K:25 Division of Film and Digital Media Established. There is hereby established within the department the division of film and digital media, which shall also be known as the state film office, under the supervision of an unclassified director of film and digital media, with the primary goal of marketing and promotion of film, video, and digital media production for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

3 Commissioner; Directors; Compensation. Amend RSA 21-K:3, II to read as follows:

II. The commissioner shall nominate each division director for appointment by the governor, with the consent of the council. Division directors shall serve for a term of 4 years. The directors of the divisions of arts, [and] historical resources, and film and digital media shall be qualified by reason of professional competence, education, and experience. The director of the division of libraries, who shall also be known as the state librarian, shall hold a master of library science degree from an accredited library school and shall have had at least 4 years' experience in a library in an administrative capacity. An accredited library school means an institution of higher education which is accredited by the American Library Association to grant a degree of master of library science.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes the division of film and digital media in the department of cultural resources.

HB 1424-FN, establishing an office of program evaluation and government accountability. INEX-PEDIENT TO LEGISLATE.

Rep. Steven Beaudoin for Executive Departments and Administration. This bill establishes a new state office under the direction of a joint legislative committee. The office would be responsible for evaluating state agencies and programs and, if the committee deemed necessary, local and county agencies and programs. In addition, the office would ensure that public funds provided to local county governments, and many other non-profits and quasi-municipal organizations, is spent for the designated purpose. The committee was unanimous in its feeling that, though well intentioned, the bill was too broad in scope and lacked a funding source. Further, the Audit Division of the Legislative Budget Assistant's Office is already set up to conduct performance audits and financial audits of state agencies and programs. Therefore, the committee felt that this bill was not necessary. Vote 16-0.

HB 1580-FN, removing the real estate commission from the office of professional licensure and certification. REFER FOR INTERIM STUDY.

Rep. John Sytek for Executive Departments and Administration. In the last legislative session, the boards that regulate the various professions licensed by the state of NH were brought under the Office of Professional Licensing and Certification (OPLC). The Real Estate Commission was one of the agencies included in this consolidation. There was a great deal of conflicting testimony on this bill. Some boards, previously under the Joint Board (the immediate predecessor the OPLC), were satisfied with the new arrangement. The Real Estate Commission was not. Were we witnessing growing pains or a fundamental incompatibility? A performance audit of the Real Estate Commission has been scheduled. The committee decided to wait for the results of the audit and is recommending Refer for Interim Study as a means for the committee to monitor the situation. Vote 16-0.

HB 1588, relative to employment restrictions on former executive branch commissioners, and repealing certain prohibitions on employment of state employees. OUGHT TO PASS WITH AMENDMENT. Rep. J.R. Hoell for Executive Departments and Administration. The bill, with the amendment, removes two current prohibitions that are in statute regarding employment after working as a state employee. These prohibitions apply to certain employees in two state agencies. The current statutes are overly restrictive and would prohibit a large office supply firm, [hypothetically Staples] from selling paper to the state if any "commissioner, deputy commissioner, financial data manager, accounting director, or director of procurement and support services of the department" decided to even work in one of their retail locations as a clerk. The penalties for the firms that hire these higher-level employees is loss of business for 5 years with the state. Testimony was given that positions were hard to fill given these "non-compete" requirements, even if the new job had no conflict of interest. The committee was very sensitive to the public perception of a revolving door policy and the chairman has called for a study of the current prohibitions regarding future employment after working for the state. That study will take place over the summer. There is already another general prohibition in place in regarding future employment under RSA 21-G:26 that prohibits for a period of 6 months any executive branch official from directly lobbying the state on behalf of a client. The bill leaves this general prohibition untouched. Vote 13-0.

Amendment (0569h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing certain prohibitions on employment of state employees.

Amend the bill by deleting section 1 and renumbering the original sections 2 and 3 to read as 1 and 2:

AMENDED ANALYSIS

The bill repeals provisions on future employment by former employees of the lottery commission and the department of administrative services.

HCR 11, encouraging and commending the governor and council to open meetings of the council with an opening prayer. INEXPEDIENT TO LEGISLATE.

Rep. Peter Schmidt for Executive Departments and Administration. This House Concurrent Resolution seeks to encourage an opening prayer at Governor and Council meetings. It elicited articulate and principled testimony in opposition as to its basis, purpose, premise and language. The committee believes the Governor and Council need no guidance from the House as to its practices, nor would they likely welcome our oversight. Vote 14-1.

HB 218-FN, relative to third grade proficiency in mathematics. INEXPEDIENT TO LEGISLATE. Rep. Joseph Pitre for Finance. This bill would amend RSA 198:40-a, II-a for an additional \$675 (adjusted to the consumer price index in subsequent years, \$710.71 for FY2018) for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the mathematics component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year. This would increase FY 2018 Adequate Education Grants based on FY 2017 preliminary data to an estimated additional cost of \$309,471. The committee felt that this affected only a small part of the student population at each school within districts and could be corrected with targeted differentiated instruction. The number of students in this category was distributed quite evenly with zero to ten affected students in each district with a comparable distribution among larger school populations. The committee believes the additional benefit from this formula change was not worth the cost. Vote 24-1.

HB 231, relative to the criteria for evaluating school building aid applications. OUGHT TO PASS. Rep. Kenneth Weyler for Finance. This bill adds to the criteria for scoring requests for school building aid. In response to the present circumstances of declining enrollments, some districts are consolidating their buildings. This creates savings for operations and hopefully lower property taxes. It also credits any safety projects that the district already paid for with some points. The bill came to the Finance Committee to ensure that passing the bill did not reopen the budget, or obligate money in violation of the moratorium on building aid. With that reassurance we are in favor of the bill. Vote 25-0.

HB 549-FN-A-L, relative to school building aid grants. INEXPEDIENT TO LEGISLATE.

Rep. Kenneth Weyler for Finance. The concept of school building aid was vital to our state in past decades when growing student populations put great pressure on communities to add new school buildings. Most of this past decade has seen significant declines in enrollment. Therefore, the legislature saw less urgency in this part of the budget versus some others. We have had a moratorium on school building aid. Since the state is paying portions of school building bonds that were passed with 20-year payments, we are still obligated well into the future. These collective shares peaked at \$50 million in our budget and then began to decline as older bonds were paid off. In the present budget, the House position was to sustain the level at \$50 million, but with bond maturities, we would have had \$8 million to spare in FY16, and \$13 million in FY17. This scheme did not survive the committee of conference, where money was reduced to bond payments only. This bill proposes to restore the House position but reduces all the previously agreed state portions, which ranged from 30% to 60%, to 25% to 55%, so each of the five categories is reduced by 5%. Although the committee appreciates the effort, the changing priorities in our budgeting have brought competing issues to more prominence, and we are not ready to bring school building aid back. Vote 25-0.

HB 585-FN-A, (New Title) relative to penalty assessments. INEXPEDIENT TO LEGISLATE. Rep. Peter Leishman for Finance. The bill provides a funding source for several very worthy programs. However, the majority could not support placing penalty assessments on administrative fines imposed by the NH Liquor Commission on license holders as a source of funding. The bill contains no appeal process to challenge the proposed 24 percent penalty assessment or the fiscal impact to collect the proposed penalty assessment. Allowing the Liquor Commission or any other state agency or commission to assess penalties without a right of judicial oversight is inequitable. Vote 25-0.

HB 1215-FN-A, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. INEXPEDIENT TO LEGISLATE.

Rep. Daniel Eaton for Finance. While well intended, HB 1215 would have significant unintended consequences. The bill would reallocate the part of the penalty assessment fund that supports the Police Standards and Training Council. NH law requires all law enforcement to attend the academy and be certified. Without the penalty assessment money, the academy would cease to exist, placing officers and their communities in violation of state law. The sponsor wanted the money to fund victims of crime. If police have no ability to meet the state training mandate, there would be no one to certify that a crime had occurred thereby leaving victims doubly victimized. Vote 25-0.

HB 1228-FN-A, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**.

Rep. Robert Walsh for Finance. The members of the committee felt that the legislature was not the agency for appealing for the recovery of monies or property taken in 1993. Rather, it should have been handled as a legal matter requiring the services of an attorney and seeking remedies through the judicial system. This bill requires that the monies be paid from performance bonds held by the state, which is not allowed under state law. Vote 24-0.

HB 1447-FN, relative to child support paid through the department of health and human services. INEXPEDIENT TO LEGISLATE.

Rep. Betsy McKinney for Finance. This was a bill that addressed a citizen's request for better information regarding support payments. However, the Department of Health and Human Services has already taken steps to fix the problem and will have a new system in July that should be up, running and available for use by August or September making this bill unnecessary. Vote 25-0.

HB 1592-FN, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. INEXPEDIENT TO LEGISLATE.

Rep. Lynne Ober for Finance. This bill was a companion bill that was intended to introduce additional options for the Department of Administrative Services in the management of the NH state retirement health benefits. After exploring the details of the option and the insufficient time for implementation, the prime sponsor requested the bill be voted Inexpedient to Legislate. Vote 25-0.

HJR 4-FN-A, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. **INEXPEDIENT TO LEGISLATE**.

Rep. David Danielson for Finance. Citing RSA 93-B this resolution seeks a payment of \$42,500 plus 5% annual interest to Mr. Joseph Haas for a reported loss attributed to non-performance of a supreme court clerk's performance in FY 1994. After hearing testimony and considering the response of the Judicial Branch, citing RSA 93-B:1-a, that the bond coverage provided by the Department of Administrative Services provides coverage to the state and not individuals, and learning that a suit would have to be brought against the state for recovery, and learning that since the loss is over 20 years old, it would be time barred, the committee voted Inexpedient to Legislate. Vote 24-0.

HJR 5-FN-A, making a payment to Joseph Haas for compensation for unlawful incarceration. INEXPEDIENT TO LEGISLATE.

Rep. Peter Spanos for Finance. This bill was filed on behalf of one individual for an action that occurred in Grafton County jail in 1984. The bill requests monetary damages to be paid from the performance bond of the superior court judge and clerk. State law prohibits paying damages from any performance bond to any individual, making it impossible to implement this bill. Vote 24-0.

HJR 6-FN-A, making a payment to compensate Edward Brown for an illegal action. INEXPEDIENT TO LEGISLATE.

Rep. David Danielson for Finance. Citing RSA 93-B this resolution seeks a payment of \$150 to Mr. Edward Brown for a claim of alleged theft of filing fee. This payment would come from a performance bond maintained by the Department of Administrative Services. After considering testimony and comments from the Judicial Branch, it was determined that the bond is maintained by the Department of Administrative Services and that the coverage is for losses to the state, not

to individual citizens. Therefore, the bond is not available for payment to any individual or entity other than the state. The individual would have to bring suit against the state for recovery of the alleged loss. Without such a suit, the Judicial Branch stated, there could be no fiscal resolution to this claim. Vote 24-0.

SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund. OUGHT TO PASS WITH AMENDMENT.

Rep. Peter Spanos for Finance. This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. The committee amendment will set up a fund for the first six years for donations for the victims of the FRM scandal and the bankruptcy. After six years this fund will be sunset, but if future donations are received, they will be added to the Victims Assistance Fund and distributed to FRM victims who have applied. This requires no state dollars, as a private administrator will administer and distribute funds according to the provisions of this bill. The private administrator will receive no more than 10 percent of the private donations as remuneration. Vote 23-2.

Amendment (0440h)

Amend the bill by replacing all after section 1 with the following:

2 New Chapter; FRM Victims' Contribution Recovery Fund. Amend RSA by inserting after chapter 359-O the following new chapter:

CHAPTER 359-P FRM VICTIMS' CONTRIBUTION RECOVERY FUND

359-P:1 Definitions. In this chapter:

- I. "Claimant" means a person who is a victim of the Financial Resources Mortgage fraud and who has filed a complete application for recovery assistance under this chapter.
 - II. "Director" means the director of charitable trusts, department of justice.
- III. "Financial Resources Mortgage" means Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities, and any entities established by, through, or with Scott Farah or Donald Dodge, through which moneys of Financial Resources Mortgage, Inc., C L and M, Inc., and any predecessor, successor, or affiliated entities passed.
- IV. "Financial Resources Mortgage fraud" means fraudulent acts committed by Financial Resources Mortgage or its principals where loans brokered by or serviced by Financial Resources Mortgage.
 - V. "Fund" means the FRM victims' contribution recovery fund established in RSA 359-P:2.
- VI. "Person" means an individual, corporation, partnership, association, joint stock company, unincorporated organization, or any other entity.
- VII. "Qualifying claimant" means a person who suffered financial losses as a result of the Financial Resources Mortgage fraud and is a claimant eligible for recovery assistance under this chapter. Qualifying claimant shall not include a borrower under any loan transaction borrowed or serviced by Financial Resources Mortgage.
- VIII. "Recovery assistance" means payments from the fund to persons who suffered financial losses as a result of the Financial Resources Mortgage fraud.
- IX. "Victim" means a person who suffered monetary injury as a result of the Financial Resources Mortgage fraud.
 - 359-P:2 FRM Victims' Contribution Recovery Fund Established.
- I. There is hereby established the FRM victims' contribution recovery fund. The fund shall be nonlapsing and continually appropriated to the director. The fund shall be capped at \$10,000,000 and shall consist of gifts and contributions of any kind.
 - II. The fund shall be used for awarding recovery assistance pursuant to this chapter.
- III. The total amount in the fund less costs of administration shall be distributed on a pro rata basis to qualifying claimants annually on December 31 until all such claims are satisfied.
 - 359-P:3 Eligibility for Recovery Assistance.
- I. Except as otherwise provided in this chapter, a claimant shall be eligible for recovery assistance at the rate of 50 cents on each dollar lost by the claimant under this chapter if the claimant:
 - (a) Submits all supplemental documents as requested by the attorney or administrator.
 - (b) Can demonstrate loss due to the Financial Resources Mortgage fraud.
 - (c) Meets all other requirements of this chapter.

settlement.

II. In addition to a qualifying claimant and except as otherwise provided in this chapter, a surviving spouse or surviving child of a qualifying claimant shall be eligible for recovery assistance under this chapter.

359-P:4 Attorney/Administrator. The director shall hire/appoint a private attorney or administrator who shall collect gifts and contributions, review applications for assistance submitted pursuant to this chapter, make awards of assistance in accordance with the procedures of this chapter, and report annually to the director commencing on February 1, 2017 and each February 1 thereafter. The director shall negotiate the attorney's or administrator's compensation which in any calendar year shall be no more than 10 percent of any private sector contributions received in that calendar year.

359-P:5 Recovery Assistance.	is received in that calculat year.
I. A victim eligible for recovery assistance und	er RSA 350-P-3 may file an application for
recovery assistance with the attorney or administrator	
Financial Resources Mortgage, Inc and CL&M, Inc.	
	victims indemnification Application
Name	-
Address	-
Phone	-
E-mail	-
E-mailSocial Security No	-
I.) Proof of Claim Federal Bankruptcy Court Case 0	9-14565-JMD and 09-14566-JMD date filed
Loans or Mortgages claimed (copy attached)	
1	Amount \$
2.	Amount \$
3.	Amount \$
4.	Amount \$
5	
6	Amount \$
7.	Amount \$
8.	
9.	Amount \$
10	
Total Proof of Claim	Amount \$
II.) Were you a defendant in case no. 09-1184-JMD?	Ves No
Were you dismissed from the case? Yes No	105 110
III.) Did you settle with the Trustee? Yes No	
Did you make a payment to the Trustee for the be	nefit of the hankruntcy estates to settle with
the Trustee? Yes No	Amount \$
IV.) List any additional payments to the trustee as a	result of any mortgage foreslosed sold or
repaid as a condition of your settlement. Example: Ag	greed to enlit proceeds 20/20 with Trustee
1	Amount \$
2	Amount \$
3 4	Amount \$ Amount \$
_	
5Post settlement payments to Trustee	Amount \$ Amount \$
V.) Did you retain 100% ownership of any mortgages	
1	Amount \$
2	Amount \$
3	Amount \$
4	Amount \$
5	Amount \$
Total Retained 100% ownership VI.) List any payment from the Trustee on any mortg:	\$
v1.) List any payment from the Trustee on any mortg	age he or she toreclosed on, sold, or received

repayment of principle and from which proceeds were agreed to be split with you as a result of

1.		Amount 5	\$
2.			\$
3.			\$
4.			\$
5.		Amount	\$
Total Sp	it Proceeds received from Trustee post so		\$
	Distribution of Bankruptcy Estate by Tru		\$
	Interest received from FRM or CL&M J		
	November 2009	\$	
(attach fo	orm 1040 and Schedule B, Interest and D	ividends, for 2006-2009)	
Calculate L			
A.	Total Section I. Proof of Claim		\$
	Total Section III. Settlement Payment		\$
	Total Section IV. Proceed split payment	to Trustee	\$
	Total A. \$		
В.	Total Section V. 00% Retained Mortgag		\$
	Total Section VI. Proceed Split receipt f	rom Trustee	\$
	Total Section VII. Final Distribution fro	m Trustee	\$
	Total Section VIII. Interest Received		\$
	Total of any other awards not otherwise	accounted for	\$
	Total B.		\$
C.	Total A minus Total B. Allowable Loss		\$
Signature_			
Signed und	er penalty of perjury		
For admini	stration purposes only		
Grand Tota	l All Losses submitted		\$
(name)_		owable loss submitted	\$
Percent of	Grand Total submitted	%	

II. The complete application shall be received not more than 180 days after the effective date of this section. An extension of time may be granted for good cause shown by the claimant. However, an application that is received more than 270 days after the effective date of this section shall not be accepted. The attorney or administrator shall send a notice regarding the process for recovery under this chapter to the last known address of potential claimants.

III. All applications filed in compliance with this chapter shall be accepted. Processing of an application shall begin upon receipt of a complete application. All applications shall be reviewed by the attorney or administrator to ensure that the applications are complete. If an application is not complete, it shall be returned to the claimant with a brief statement of the additional information required. The application shall be denied if the applicant does not furnish additional information or additional time is not granted for good cause. Once an application is accepted as complete, the applicant shall be so notified.

IV. The attorney or administrator shall determine the amount of loss of original investments, if any, of each claimant and the pro rata share to be distributed to a claim demonstrating loss.

V. Recovery assistance shall be limited to 50 cents on each dollar lost on the amount of the claimant's original investment.

VI. The attorney or administrator may consider individual claims filed by persons owning a joint interest that was subject to loss due to the Financial Resources Mortgage fraud, but any recovery awarded shall only be to the extent of each individual claimant's original investment.

359-P:6 Awards Under This Chapter Set Off Against Any Other Recovery.

I. The amount of any award made under this chapter shall be set off against any other recovery sources, including, but not limited to awards from private suits, arbitration, bankruptcy court awards or settlements, or other sources of recovery.

II. In the event a qualifying claimant receives an award from a recovery source listed in paragraph I subsequent to the filing of a claim under this chapter, the claimant shall immediately notify the attorney or administrator of the award. The attorney or administrator shall then modify the claimant's award and pro rata share by offsetting such award against the claimant's award under this chapter.

- 359-P:7 Recovery Assistance Prohibited. Recovery assistance shall not be awarded if the attorney or administrator for the attorney or administrator determines the claimant:
- I. Sustained the monetary injury as a result of participating or assisting in or attempting to commit or committing financial fraud with Financial Resources Mortgage; or
- II. Profited or would have profited from the financial fraud of Financial Resources Mortgage. 359-P:8 Award Not Subject to Other Processes. An award made under this chapter shall not be subject to execution, attachment, garnishment, or other process. A claimant convicted of forgery, fraud, or deception in connection with a claim under this chapter shall forfeit an award paid to the claimant under this chapter.
- 359-P:9 Liability of State. The state shall be under no obligation or liability under this chapter except to make payments to claimants to whom the recovery fund attorney or administrator has made awards of assistance, but only to the extent there is money available in the fund.
- 359-P:10 Claims Prior to January 1, 2006. Claims for restitution assistance shall not be accepted for any losses that occurred prior to January 1, 2006 due to financial fraud.
- 3 New Subparagraph; FRM Victims Contribution Recovery Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:
- (332) Moneys deposited under the FRM victims' contribution recovery fund, established in RSA 359-P:2.
- 4 Victim's Assistance Account; Department of Justice; FRM Victims Added. Amend RSA 21-M:8-h, I(a)(4) to read as follows:
- (4) Any person who is a victim of human trafficking and has been tattooed with an identifying mark of human trafficking by a person who has forced him or her into trafficking;
 - (5) Victims of the FRM fraud.
- 5 Applicability. Upon repeal of the FRM victims' contribution recovery fund, established in RSA 359-P:2, on July 1, 2023, any remaining moneys in such fund shall be deposited in the victim's assistance account established in RSA 21-M:8-g and shall be used to compensate any remaining victims of the FRM fraud.
 - 6 Repeal. The following are repealed:
- I. RSA 359-P, relative to a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud.
 - II. RSA 6:12, I(b)(332), relative to the FRM victims' contribution recovery fund.
 - 7 Effective Date.
 - I. Sections 4 through 6 of this act shall take effect July 1, 2023.
 - II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a process for restitution assistance for victims of the Financial Resources Mortgage (FRM) fraud. Under this bill, the director of charitable trusts shall hire or appoint an attorney or administrator to review applications for and make restitution assistance to victims from the FRM victims' contribution recovery fund.

HB 1100, relative to licensure of guides by the fish and game department. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Long for Fish and Game and Marine Resources. After testimony, the committee felt that licensed guides need to be held to a higher standard of safety and responsibility, with appropriate repercussions for failing in this regard. This bill would weaken this standard. The Department of Fish and Game opposes the bill. Vote 13-0.

HB 1106, relative to days on which fishing is permitted without a license. INEXPEDIENT TO LEGISLATE.

Rep. Ivy Vann for Fish and Game and Marine Resources. The committee is in favor of another bill (HB 1286) that it has heard on the same subject, which the committee believes is more effective. Vote 11-0.

HB 1136, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. **INEXPEDIENT TO LEGISLATE.**Rep. Ivy Vann for Fish and Game and Marine Resources. The committee voted to oppose the bill because

no mechanism for raising the money for the awards was provided. Additionally, the Department of Fish and Game can already entertain proposed solutions for crab control from citizens. Vote 13-0.

HB 1176, relative to nomination and qualification of fish and game commissioners. REFER FOR INTERIM STUDY.

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill needs more study and is not yet ready to become a law. Vote 12-0.

HB 1177, relative to permission required for baiting for game on the property of another. INEX-PEDIENT TO LEGISLATE.

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill removes the requirement that a person, before baiting for game on the property of another, must first file with the local conservation officer the written permission granted by the property owner and a map showing the bait site. All testimony received by the committee on this bill was in opposition, including that of the sponsor. Vote 13-0.

HB 1191, establishing an exotic game license for hunting in a game preserve. INEXPEDIENT TO LEGISLATE.

Rep. James Spillane for Fish and Game and Marine Resources. This bill was targeting one specific organization in the state, and the exotic animals are private property exactly like farm animals. Asking someone to pay the state for a license to kill private property is a violation of private property rights. Vote 11-2.

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses. **OUGHT TO PASS**.

Rep. Ivy Vann for Fish and Game and Marine Resources. This bill changes the definition of family to include dependent adults for the purpose of coverage under a family hike safe card. Such individuals should enjoy the benefits of a hike safe card since they are members of the family. Vote 11-0.

HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. **OUGHT TO PASS.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill gives further clarification to the situations in which the Department of Fish and Game can recover expenses from individuals for rescue operations by strengthening the ability to seek restitution in the courts from those who acted recklessly. Vote 11-0.

HB 1286, relative to days when fishing without a license is permitted. OUGHT TO PASS.

Rep. James Spillane for Fish and Game and Marine Resources. This bill allows the Department of Fish and Game to add an extra promotional day of fishing in a calendar year when no license is required. The extra day chosen may be in the winter so people would get a chance to experience ice fishing. Hopefully, this will get more people interested in fishing. Vote 11-0.

HB 1383, repealing the penalty for carrying away seaweed at night. INEXPEDIENT TO LEGISLATE. Rep. Jonathan Manley for Fish and Game and Marine Resources. The law that this bill seeks to repeal is a needed protection for live seaweed. With words such as "below high water mark" and "harvest," it is clear the law covers live plants that should have this restriction. With only 18 miles of shoreline, New Hampshire could quickly be depleted of this natural resource by unregulated activity. Vote 13-0.

HB 1388-FN, expanding crossbow use into muzzeloader season. OUGHT TO PASS.

Rep. James Spillane for Fish and Game and Marine Resources. This bill allows a person who has purchased a muzzleloader license to hunt deer with a crossbow. This will generate revenue for the Department of Fish and Game and also allow for better deer management in the troubled compact areas where muzzleloaders cannot be discharged. Vote 12-1.

HB 1519, relative to the season for taking bear using dogs set by the executive director of fish and game. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Long for Fish and Game and Marine Resources. The sponsor was able to work out a resolution with the Department of Fish and Game concerning the issue addressed by the bill, and so the bill is no longer necessary in the opinion of the sponsor and the committee. Vote 13-0.

HB 1124, relative to the membership of the occupational therapy governing board and relative to equipment used in respiratory care practice. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill originally had two parts; the first part made a change in the membership of the occupational therapy governing board and the second part addressed requirements surrounding the delivery and installation of respiratory care equipment. The testimony on the second part of the bill raised more questions than it answered, so the amendment removed the second part of the bill. As amended, the bill simply omits the requirement of a physician on the board governing occupational therapy, and adds one more occupational therapist to the board. The physician member is not needed because occupational therapists are not supervised by physicians, and it has been difficult to fill this position. Vote 17-0.

Amendment (0623h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the membership of the occupational therapy governing board.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

AMENDED ANALYSIS

This bill removes the requirement that a physician be appointed to the occupational therapy governing board.

HB 1138, relative to access to investigational drugs, biological products, and devices. OUGHT TO PASS WITH AMENDMENT.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes the Terminal Patient's Right to Try Act which allows a patient with a terminal illness access to investigational drugs, biological products and devices. The committee felt strongly that terminal patients deserve this option. The bill protects the rights of all involved. Similar bills have been enacted in other states. Vote 15-0.

Amendment (0645h)

Amend RSA 126-Z:1, III as inserted by section 2 of the bill by replacing it with the following:

III. "Physician" means the licensed physician who is providing medical care or treatment to the eligible patient for the terminal illness.

Amend RSA 126-Z:4 as inserted by section 2 of the bill by replacing it with the following:

126-Z:4 Private Cause of Action. Nothing in this chapter shall be construed to create a private cause of action against a manufacturer of an investigational drug, biological product, or device or against any other person or entity involved in the care of an eligible patient using the investigational drug, biological product, or device for any harm done to the eligible patient resulting from the investigational drug, biological product, or device, if the manufacturer or other person or entity is complying in good faith with the terms of this chapter and has exercised reasonable care.

126-Z:5 Severability. If any provision of this chapter, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the chapter which can be given effect without the invalid provisions or applications and to this end the provisions of this chapter are severable.

HB 1209, relative to consultations under the telemedicine law. INEXPEDIENT TO LEGISLATE. Rep. Mary Freitas for Health, Human Services and Elderly Affairs. The law currently requires a face-to-face connection between practitioners and patient in telemedicine. This bill would remove the face-to-face requirement, services being provided via telephone only. The committee believes that current practices already provide a telephone level of service to patients. Vote 18-0.

HB 1210, relative to prescriptions for controlled drugs by telemedicine. OUGHT TO PASS. Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation extends the use of telemedicine care. It provides for a prescriber to continue the treatment of an established patient after the patient moves, for example, telemedicine allows the provider to monitor, prescribe and plan for follow-up care. For example, an established patient who moves to attend college can continue their care with their provider. This includes individuals who are receiving care at a community mental health center, or those in an opioid treatment center. Vote 18-0.

HB 1256, requiring the attorney general to prepare an inventory of all untested rape kits. INEX-PEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill would require the NH Attorney General's office to inventory all collected, but untested rape kits. Extensive testimony revealed that the state forensic lab does a great job with processing rape kits and has no significant backlog. It was also pointed out that the New Hampshire Coalition Against Domestic and Sexual Violence monitors all collected rape test kits and, therefore, the bill is not needed. Vote 15-0.

HB 1269, extending the New Hampshire health care quality assurance commission. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill, as amended, adds a second public member to the commission, and extends the term of the commission to 2021. The commission performs a vital function, as it provides a forum for health care institutions to discuss and share information about safety issues and best practices. This contribution to patient safety and quality of care is valuable and should be extended. Vote 17-0.

Amendment (0093h)

Amend the title of the bill by replacing it with the following:

AN ACT extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3, respectively:

Amend RSA 151-G:1, II(e) to read as follows:

(e) [One member-at-large] Two members-at-large, appointed by the governor.

AMENDED ANALYSIS

This bill extends the New Hampshire health care quality assurance commission until July 1, 2021. This bill also clarifies the membership of the commission.

HB 1273, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires health care providers performing mammography testing to send a notice to women who have dense breast tissue containing information about breast density. The committee heard from a radiologist explaining the reports presently being provided to every person who has a mammogram. These reports were found to be detailed and adding further requirements unnecessary. Vote 18-0.

HB 1285, relative to the donation of food that has passed its expiration date. OUGHT TO PASS WITH AMENDMENT.

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill extends the hold harmless protection for donors of food products from criminal penalties and civil damages to include food used for animal feed, or composting unless damage is caused by gross negligence, recklessness, or intentional misconduct. Vote 15-2.

Amendment (0091h)

Amend RSA 508:15, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Food" means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption or for feeding of animals. "Food" also means food items open-dated for which the date has passed.

Amend RSA 508:15. II as inserted by section 2 of the bill by replacing it with the following:

II. The good faith donor of any food to a needy individual or individuals or to a bona fide charitable or non-profit organization for distribution or serving by such organization without charge or at a charge sufficient only to cover the cost of handling and administering such food and the distribution thereof, or to a person for uses such as animal feed or composting, shall not be subject to criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness, or intentional misconduct of the donor; provided, however, that at the time of donation such food is not knowingly misbranded and is not adulterated and has not been manufactured, processed, prepared, handled or stored in violation of applicable rules of the department of health and human services, or unless an injury is caused by the gross negligence, recklessness or intentional conduct of the donor.

HB 1309, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill adds post-traumatic stress disorder to the qualifying medical conditions under therapeutic use of cannabis. The committee believes that changes should not be made prior to the implementation of the medical marijuana law prior to its complete rollout. This is not to disagree that our veterans suffering from post-traumatic stress disorder would benefit from this inclusion. However, it was also believed that many with substance abuse co-existing conditions may not benefit. The committee believes that it is too soon to be making any changes. Vote 16-0.

HB 1324, relative to membership of the oversight committee on health and human services. INEXPEDIENT TO LEGISLATE.

Rep. James MacKay for Health, Human Services and Elderly Affairs. The Oversight Committee on Health and Human Services is a long-standing joint committee of the House and Senate. The House and Senate members are appointed from the health policy committees. In addition, the committee membership was extended to include a member of the House Finance Committee as significant health legislation is often referred to the Finance Committee. The committee feels the present membership is appropriate to carry out the responsibilities assigned to the committee. Vote 18-0.

HB 1394, requiring the department of health and human services to report on the effectiveness of mental health treatment programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill requires the department of health and human services to make an annual report on the effectiveness of mental health treatment programs. As amended, this bill prevents funds for services from lapsing and thus being unused from year to year. This will allow the appropriation to proceed forward for Developmental Services. The bill extends the nonlapsing of appropriations through June 30, 2017, thus providing time to effectively analyze effectiveness of the programs. Vote 15-0.

Amendment (0693h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the appropriation for developmental services.

Amend the bill by replacing all after the enacting clause with the following:

1 Health and Human Services; Developmental Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-93-930010-7100 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

557 F. This appropriation shall not lapse until June 30, 2017.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill clarifies the appropriation for developmental services contained in the 2016-2017 operating budget.

HB 1406, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. REFER FOR INTERIM STUDY. Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee supports the sponsor's concerns about this complex issue. We are assured by the NH Department of Health and Human Services that conversion from termination of benefits to suspension of benefits with incarceration is progressing well towards resolution. Vote 17-0.

HB 1423-FN, relative to rulemaking for prescribing controlled drugs. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill, as amended, sets out a timetable for rulemaking about the prescription of controlled drugs and sets out detailed requirements as to the many issues that the proposed rules must address. The major provisions of the bill apply to six boards: medicine, dental exams, nursing, optometry, podiatry and naturopathy. The intent is to specify what issues each board must address, but to let each board adopt standards which are appropriate to their areas of practice. Areas to be included in rulemaking are the

taking of medical history, patient examiners, risk assessment documentation of treatment plans, querying the prescription and drug monitoring program database. The requirements recognize the differing approaches needed for treatment of acute pain and chronic pain. Specific attention is given to requirements for prescription in emergency rooms, urgent care settings and walk in clinics. A separate section of the bill requires the board of veterinary medicine to propose rules for the prescription of opioids for use of treatment of pain in animals, and measures to be taken to ensure medicine prescribed is not being diverted. Vote 16-0.

Amendment (0872h)

Amend the bill by replacing section 1 with the following:

1 New Section; Rulemaking for Prescribing Controlled Drugs; Controlled Drug Prescription Health and Safety Program. Amend RSA 318-B by inserting after section 40 the following new section:

318-B:41 Rulemaking for Prescribing Controlled Drugs.

- I.(a) Before September 1, 2016, the following boards shall submit to the joint legislative committee on administrative rules final proposed rules for prescribing schedule II, III, and IV opioids, for the management or treatment of pain:
 - (1) The board of medicine, concerning physicians and physician assistants.

(2) The board of dental examiners, concerning dentists.

- (3) The board of nursing, concerning advanced practice registered nurses.
- (4) The board of registration in optometry, concerning optometrists.
- (5) The board of registration in podiatry, concerning podiatrists.
- (6) The naturopathic board of examiners, concerning naturopaths.
- (b) The rules required under paragraph I shall, at a minimum, contain mandatory standards for the practice components established in paragraph II.
- II. The rules shall, at a minimum, contain mandatory standards for the following practice components:
 - (a) Standards for the use of opioids for the management or treatment of all pain:
- (1) Conducting and documenting a detailed history and a physical exam in response to a complaint of pain or anticipated pain.
- (2) Completing a board-approved risk assessment tool to determine whether a patient is an appropriate candidate for a schedule II, III, or IV opioid.
- (3) Establishing and documenting an appropriate pain treatment plan that includes consideration of nonpharmacological modalities and non-opioid therapy.
- (4)(A) Querying the program database when writing an initial schedule II, III, or IV opioid prescription for the management or treatment of a patient's pain and then periodically, at least twice a year. Such rules shall include exceptions for:
 - (i) Controlled substances administered to a patient in a health care setting;
- (ii) The program is inaccessible or not functioning properly, due to an internal or external electronic issue; or
- (iii) An emergency department is experiencing a higher than normal patient volume, and to query the program database would materially delay care.
- (B) When a situation falling under exception (A)(ii) or (iii) is applicable, such exception shall be documented in the patient's medical record.
 - (5) Establishing procedures for informed consent outlining the risks and benefits of opioid use.
- (6) Requiring the lowest effective dosage for the fewest number of days with specific dose limits be prescribed for a medical condition or specialty.
- (7) Providing for the enforcement of the prescribing rules by specifying that noncompliance with the rules may constitute unprofessional conduct under the board's practice act.
 - (b) Standards for the use of opioids for the management or treatment of acute pain:
- (1) Limiting the amount of days for an opioid prescription issued in an emergency department, urgent care setting, or walk-in clinic. This specific duration limit shall be set by each board no later than August 1, 2016 taking into consideration the recommendation from a majority vote of a policy group consisting of the chief medical officer of the department of health and human services, a physician designated by the New Hampshire chapter of the American College of Emergency Physicians, a physician designated by the New Hampshire Hospital Association, an advanced practice registered nurse designated by the New Hampshire Nurse Practitioner Association, a physician or advanced practice registered nurse designated

by the governor, a board certified surgeon, designated by the New Hampshire Medical Society, and an oral surgeon, designated by the New Hampshire Dental Society. Five members of the policy group shall constitute a quorum. All policy group meetings shall be open to the public and noticed in the house and senate calendars.

- (2) In settings where continuity of care is anticipated, each board shall establish finite limits considering dose and duration of opioid prescriptions for treatment of acute pain and appropriate timing of office follow up for persistent, unresolved acute pain.
 - (c) Standards for the use of opioids for the management or treatment of chronic pain:
- (1) Mandatory use of written treatment agreements, such as the agreement developed by the American Academy of Pain Medicine. Treatment agreements shall include conduct that triggers the discontinuation or tapering of opioid prescriptions.
- (2) Establishing a requirement for periodic review conducted at reasonable intervals to reevaluate treatment plans and use of opioids.
- (3) Establishing a procedure for, and documenting consideration of, consultation with, or referral to a specialist for patients receiving a high morphine equivalent dose for longer than 90 days.
- (4) Creating exemptions to the prescribing rules for situations in which an opioid is being prescribed for the management of chronic pain for:
 - (A) Patients with cancer pain;
 - (B) Patients with a terminal condition;
 - (C) Long-term, nonrehabilitative, residents of a nursing home facility.
- III. Before September 1, 2016, the board of veterinary medicine shall submit to the joint legislative committee on administrative rules final proposed rules for prescribing schedule II, III, and IV opioids by veterinarians for the management or treatment of pain. For the practice components set forth in paragraph IV, the term "patient" refers to the animal being prescribed opioids for the management or treatment of pain, and the term "owner" refers to the legal owner of the animal.
- IV. The prescribing rules required by paragraph III shall, at a minimum, contain mandatory standards for the following practice components.
 - (a) Standards for the use of opioids for the management or treatment of pain:
- (1) Conducting and documenting a detailed history and a physical exam in response to a complaint of pain or anticipated pain.
- (2) Completing a board-approved risk assessment tool to determine whether a patient is an appropriate candidate for a schedule II, III, or IV opioid.
- (3) Establishing and documenting an appropriate pain treatment plan that includes consideration of nonpharmacological modalities and non-opioid therapy.
- (4)(A) Querying the program database when writing an initial schedule II, III, or IV opioid prescription for the management or treatment of a patient's pain and then periodically, at least twice a year. The program shall be queried for the patient, its owner, and the individual bringing the patient in to see the veterinarian, if applicable. Exceptions to this requirement shall be limited to situations in which:
 - (i) Controlled substances are to be administered to a patient in a health care setting.
- (ii) The program is inaccessible or not functioning properly, due to an internal or external electronic issue.
- (B) For exception (ii), the specific reason why there was no query of the program database shall be documented in the patient's medical record.
 - (5) Establishing procedures for informed consent outlining the risks and benefits of opioid use.
- (6) Requiring the lowest effective dosage for the fewest number of days with specific dose limits, if appropriate, be prescribed for a medical condition or specialty.
- (7) Providing for the enforcement of the prescribing rules by specifying that noncompliance with the rules may constitute unprofessional conduct under the board's practice act.
 - (b) Standards for the use of opioids for the management or treatment of acute pain:
- (1) Limiting the amount of days for an opioid prescription issued in an emergency care setting. The board shall base its recommendation on the limit established pursuant to paragraph II(b)(1).
- (2) In settings where continuity of care is anticipated, establishing finite limits on dose and duration of opioid prescriptions for treatment of acute pain and appropriate timing of office follow up for persistent, unresolved acute pain.
 - (c) Standards for the use of opioids in the management or treatment of chronic pain.

- (1) Mandatory use of written treatment agreements, such as the agreement developed by the American Academy of Pain Medicine. Treatment agreements shall include conduct that triggers the discontinuation or tapering of opioid prescriptions.
- (2) Establishing a requirement for periodic review conducted at reasonable intervals to reevaluate treatment plans and use of opioids.
 - V. At a minimum, each board's Internet website shall include online links to board approved:
 - (a) Continuing education on the prescribing of opioids.
 - (b) Screening tools.
 - (c) Treatment agreements.
 - (d) Risks and benefits of opioid use.
 - (e) Proper storage of opioids.
 - (f) Proper disposal of unused opioids.

Amend RSA 329:9, XX as inserted by section 2 of the bill by replacing it with the following: XX. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 317-A:12, XIII as inserted by section 3 of the bill by replacing it with the following: XIII. Prescribing controlled drugs pursuant to RSA 318-B:41; and

Amend RSA 326-B:9, XII as inserted by section 4 of the bill by replacing it with the following: XII. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 327:31, X as inserted by section 5 of the bill by replacing it with the following: X. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 315:4, XII as inserted by section 6 of the bill by replacing it with the following:

XII. Prescribing controlled drugs pursuant to RSA 318-B:41. Amend RSA 328-E:10, I(e) as inserted by section 7 of the bill by replacing it with the following:

(e) Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend RSA 332-B:7-a, XV as inserted by section 8 of the bill by replacing it with the following: XV. Prescribing controlled drugs pursuant to RSA 318-B:41.

Amend the bill by replacing section 9 with the following:

9 Repeal. RSA 318-B:39, relative to prescribers required to query the program prior to prescribing controlled substances, is repealed.

10 Effective Date.

- I. RSA 318-B:41, II(a)(4), IV(a)(4), and section 9 shall take effect January 1, 2017.
- II. The remainder of this act shall take effect upon its passage.

HB 1425-FN, restricting the use of food stamps in convenience stores. INEXPEDIENT TO LEGISLATE.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill sought to limit "food stamp" purchases to only milk at convenience stores. Strict guidelines are issued from the USDA, which administers the program on what categories of items a store has to sell in order to be qualified to accept the Supplemental Nutrition Assistance Program (SNAP) benefits. The sponsor believed that recipients could purchase food at grocery stores to get a better price for food. The committee believed that this bill is discriminatory and not within the ability of the state to implement. Vote 15-0.

HB 1429, relative to the use of microbeads in personal care products and over-the-counter drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. Microbeads used in beauty products can cause problems with water treatment facilities. They do not disintegrate and can cause problems for wildlife. This bill is no longer needed because a federal law has been passed which regulates use. Vote 13-0.

HB 1464-FN, relative to monitoring visits to child day care agencies. INEXPEDIENT TO LEGISLATE.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. The committee understood the sponsor's view for only announced inspections for day care. The Department of Health and Human Services testified that the funding the state receives for day care is in the form of a block grant and it mandates that the department conduct unannounced inspections. The department also testified that if they arrive at a center or day care and it was inconvenient or an activity was happening that the department would be flexible and conduct the inspection on another day. Vote 18-0.

HB 1490, relative to collaborative practice between pharmacists and health care practitioners. OUGHT TO PASS,

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation upgrades the qualifications, standards and supervision of collaborative pharmacy agreements between pharmacists and health care practitioners. Health care systems are undergoing significant changes nationally and in New Hampshire. Pharmacists occupy a significant place in the delivery of healthy services. Specifically, pharmacists have expertise in dealing with people who have multiple chronic conditions and the increased use of more complex medication. This legislation was the unanimous product of the Commission to Study the Standards for Collaborative Practice. Vote 13-0.

HB 1501, relative to qualifying medical conditions for the use of cannabis. INEXPEDIENT TO LEGISLATE.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill, having been fully vetted by the committee and being determined to be Inexpedient to Legislate, is not an addition that needs to be adopted at this time. It is the finding of the committee that the current law has not been fully implemented and we should allow time for it to go into effect as originally passed before making changes or additions. Vote 15-0.

HB 1537-FN, relative to testing for Lyme disease. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. This bill requires health care providers to send certain information to persons being tested for Lyme disease. While expressing concerns for issues raised by the sponsors and receiving assurances from the appropriate society that they would work with the sponsor to address these concerns, the committee reaffirmed a strong reluctance to commit medical information, or recommendations to statute. Vote 18-0.

HB 1541-FN, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. REFER FOR INTERIM STUDY.

Rep. James MacKay for Health, Human Services and Elderly Affairs. There has been considerable discussion over the past several years about the location and operation of the Secure Psychiatric Unit (SPU) presently operated by the New Hampshire Department of Corrections. Thoughtful studies were conducted in 2006 and 2010. This legislation provoked considerable concern about the present location of the SPU. However, there was considerable concern about potential unintended consequences from passage of this legislation. It is the hope of the committee that a robust Interim Study committee can move this serious issue forward. Vote 17-0.

HB 1542-FN, requiring drug testing of public assistance recipients. INEXPEDIENT TO LEGISLATE. Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill requires an invasive and suspicious drug test of all public assistance recipients. Recipients of public assistance do not surrender their constitutional rights. Courts have already held that the state may not deny an individual benefits because the individual has exercised his or her constitutional rights. Nor may an entire class of citizens be denied their constitutional rights. There is no documentation that drug use in this population is any greater than that of the general population. In addition, the program would likely cost more to administer than it would save in benefit costs. Vote 18-0.

HB 1634-FN, relative to the penalty for possession, use, or sale of fentanyl. INEXPEDIENT TO LEGISLATE.

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. This bill was found inexpedient to legislate as the penalty for fentanyl use, or sale, was addressed previously in Senate Bill 576 which has already been signed into law. The bill sponsor agreed that this bill was no longer necessary. Vote 18-0.

HB 1648-FN, relative to sales by pharmacists under the controlled drug act. INEXPEDIENT TO LEGISLATE.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill authorizes pharmacists to fill a prescription for certain controlled drugs for a 34-day supply or 100 dosage units, whichever is less. This bill is similar to HB 1423-FN, relative to rulemaking for prescribing controlled drugs which was recommended ought to pass as amended by the committee. Therefore this bill is deemed to be unnecessary. Vote 16-0.

HB 1662-FN, relative to abortion-inducing drugs. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. Without demonstrating a compelling need, this bill would set several precedents in addressing abortion including requiring use of FDA guidelines rather than the medical standard of practice, requiring admitting privileges for an outpatient procedure and requiring a contract with her physician to handle procedure complications. Furthermore, it would apply criminal penalties for activities under the jurisdiction of the Board of Medicine. Vote 16-1.

HB 1664-FN, relative to pharmacy benefit managers. OUGHT TO PASS WITH AMENDMENT. Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires certain provisions to be included in contracts between carriers or pharmacy benefit managers and pharmacies. The committee heard concerns from pharmacists relative to maximum allowable cost pricing (MAC), which is a tool used by pharmacy benefit managers to control prescription drug costs. The bill establishes requirements that pharmacy benefit managers provide certain information relative to MAC pricing to pharmacists and include a process to appeal, investigate and resolve disputes. All stakeholders, including the pharmacists, the pharmacy benefit managers, and the Department of Insurance agreed to the bill as amended. Vote 16-0.

Amendment (0846h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:3 by inserting after paragraph X the following new paragraph:

X-a. "Contracted pharmacy" or "pharmacy" means a pharmacy participating in the network of a pharmacy benefit manager through a direct contract or through a contract with a pharmacy services administration organization or group purchasing organization.

2 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:3 by inserting after paragraph

XIV the following new paragraph:

- XIV-a. "Drug product reimbursement" means the amount paid by a carrier or pharmacy benefit manager to a contracted pharmacy or pharmacist for the cost of the drug dispensed to a patient and does not include a dispensing or professional fee.
- 3 New Paragraph; Managed Care; Definitions. Amend RSA 420-J:8 by inserting after paragraph XIV the following new paragraph:
- XV.(a) All contracts between a carrier or pharmacy benefit manager and a contracted pharmacy shall include:
- (1) The sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan administered by the carrier or pharmacy benefit manager.
- (2) A process to appeal, investigate, and resolve disputes regarding the maximum allowable cost pricing. The process shall include the following provisions:
- (A) A provision granting the contracted pharmacy or pharmacist at least 30 business days following the initial claim to file an appeal;
- (B) A provision requiring the carrier or pharmacy benefit manager to investigate and resolve the appeal within 30 business days; and
- (C) A provision requiring that, if the appeal is denied, the carrier or pharmacy benefit manager shall:
 - (i) Provide the reason for the denial; and
- (ii) Identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost.
- (D) A provision requiring that, if an appeal is granted, the carrier or pharmacy benefits manager shall within 30 business days after granting the appeal:
 - (i) Make the change in the maximum allowable cost; and
- (ii) Permit the challenging pharmacy or pharmacist to reverse and rebill the claim in question.
- (b) For every drug for which the pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the pharmacy benefit manager shall:

- (1) Include in the contract with the pharmacy information identifying the national drug pricing compendia or sources used to obtain the drug price data.
 - (2) Make available to a contracted pharmacy the actual maximum allowable cost for each drug.
- (3) Review and make necessary adjustments to the maximum allowable cost for every drug for which the price has changed at least every 14 days.
 - 2 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill establishes procedures for contracts between carriers or pharmacy benefit managers and contracted pharmacies.

HB 1665-FN, adopting the interstate medical licensure compact. OUGHT TO PASS.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill allows the State of New Hampshire to join with other states in the formation of a medical licensure compact. Committee support for the concept was unanimous. Being a member of the compact will allow a licensed physician in one state that wishes to practice in another state, to not have to duplicate all of the history that is required for an initial license. Each state the physician holds a license in will have the renewal requirements and the licensee needs to satisfy each license. This does not lower any requirements. Vote 18-0.

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. **OUGHT TO PASS WITH AMENDMENT**. Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill, as amended, extends for one year to June 30, 2017 the suspension of prior authorization requirements for a community mental health program for drugs used to treat mental illness. The committee is persuaded that this moratorium should not be lifted without having additional safeguards in place to protect both patients and public safety. Vote 16-0.

Amendment (0622h)

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

HB 1681-FN, relative to hypodermic syringes and needles containing trace amounts of controlled drugs. OUGHT TO PASS WITH AMENDMENT.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The bill is relative to hypodermic syringes and needles containing residual amounts of controlled drugs. Exchanging needles with residual amounts of controlled drugs is not illegal. Needle exchange programs will provide a point of access for reaching people. This access has been shown to improve the health of addicts. More importantly this bill will help protect the wider public from impending outbreaks of Hepatitis C and HIV. Vote 15-0.

Amendment (0634h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to hypodermic syringes and needles containing residual amounts of controlled drugs. Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Controlled Drug Act; Definition Added. Amend RSA 318-B:1 by inserting after paragraph XXIX the following new paragraph:

XXIX-a. "Residual amount" means an unusable amount of a controlled substance in or on a hypodermic syringe or needle.

- 3 Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2, IV(d) to read as follows:
- (d) The proximity of any residue of controlled substances, except for hypodermic syringes and needles with or without residual amounts;
- 4 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Practitioner. Amend RSA 318-B:17-a to read as follows:
- 318-B:17-a Disposal of Controlled Drugs in Possession of Practitioner. No person other than the pharmacy board, its officers, agents, and inspectors is authorized to destroy any out-dated, deteriorated, excessive or otherwise unwanted or confiscated controlled drugs which are in the possession of a practitioner, veterinarian, pharmacy, peace officer, nursing home, manufacturer, wholesaler, clinic, or laboratory or hospital. No payment shall be made to any person or institution for any drug surrendered

for destruction. A record shall be maintained which indicates the name, strength, and quantity of all drugs destroyed; the place and manner of destruction; the date and time destroyed; the name of the practitioner or institution surrendering the drugs; and the signature and title of the person witnessing destruction. Such records shall conform to any federal requirements and shall be open to inspection by all federal or state officers charged with the enforcement of federal or state controlled drug laws. This section shall not apply to residual amounts in hypodermic syringes and needles.

- 5 Controlled Drug Act; Penalties; Exception Added. Amend the introductory paragraph of RSA 318-B:26, I(c) to read as follows:
- (c) Except for residual amounts in hypodermic syringes and needles, in the case of a violation involving any of the following, a person may be sentenced to a maximum term of imprisonment of not more than 7 years, a fine of not more than \$100,000, or both. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person may be sentenced to a maximum term of imprisonment of not more than 15 years, a fine of not more than \$200,000, or both:
- 6 Repeal. RSA 318:52-d, recording and filing of prescriptions for hypodermic syringes and needles, is repealed.
 - 7 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill exempts residual amounts of controlled substances in hypodermic syringes and needles from the provisions of the controlled drug act. The bill also authorizes persons other than pharmacists to dispense hypodermic syringes and needles and allows them to be sold in retail establishments other than pharmacies.

Referred to the Committee on Criminal Justice and Public Safety.

HB 1698-FN, relative to an integrative approach to substance abuse disorders. **INEXPEDIENT TO LEGISLATE**.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill requires treatment and recovery programs for substance abuse disorders to use an integrative approach, including homeopathic remedies, when treating patients. All boards such as medical and nursing will be releasing new rules asking for consideration of all modalities available when treating substance abuse. The committee felt these new rules would be adequate. Vote 18-0.

HB 1109, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would make the taking entity in an eminent domain case liable for attorney's fees if the property were undervalued by 20% and, in all eminent domain cases, offer at least 300% of the fair market value of the property. The majority recognized that in some cases the appraisal might undervalue the property, but extending the 300% benchmark to all cases would be unfair to the taker and, in many (perhaps most) cases unnecessarily burden taxpayers. Vote 17-1.

HB 1115, relative to the laws governing the citizens of New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. David Woodbury for Judiciary. Although some members regret the extent of regulations, rules, local ordinances and the like which have the force of law, a strong majority recognized the chaos which would ensue if this bill became law. The intention of this bill is to make this legislature, and the United States Congress, the sole source of law in this state. It would be physically impossible to place this burden on this body and the result, if enacted, would be unfortunate. Vote 13-1.

HB 1166-FN, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. **INEXPEDIENT TO LEGISLATE**.

Rep. Kurt Wuelper for Judiciary. This bill would have the Attorney General appoint a personal representative to pursue the legislative remedies in reports from the now disbanded Committee on Redress of Grievances. The committee believes these remedies either have been or could be pursued through the normal legislative process making this bill unnecessary. Vote 14-1.

HB 1196, relative to the amount of a money judgment for unpaid rent. INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for Judiciary. This bill sought to increase the maximum money judgment order in an eviction case from \$1,500 to \$5,000. The committee believes that this would cause many more evictions to move to Superior Court, defeating the purpose of the increase. Vote 14-0.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding. OUGHT TO PASS WITH AMENDMENT.

Rep. Claire Rouillard for Judiciary. This bill as amended allows a tenant and a landlord to negotiate and enter into an agreement to pay past due rent, which includes an agreement of the tenant to waive any right to appeal. This agreement allows the tenant to remain in their home if timely payment of arrearage and future rents are made. Vote 18-0.

Amendment (0234h)

Amend the bill by replacing all after the enacting clause with the following:

1 Landlord Tenant; Discretionary Stay Dependent on Payment of Rent; Payment of Arrearage and Current Rent Due. Amend RSA 540:13-c, II to read as follows:

II. Nothing in this section shall be construed to prohibit the parties in a case of nonpayment of rent from agreeing that, in spite of judgment for the plaintiff, a writ of possession shall not be issued, if the defendant makes payments in accordance with a schedule designated in the agreement. [However, if such payments are not made when due, a writ of possession shall be issued upon request of the plaintiff.] The agreement may incorporate the arrearage, future rent due, court costs, and service fees. Entering into such an agreement shall waive the defendant's right to appeal.

(a) Every such agreement shall conspicuously state in a separate paragraph at the end of

the agreement the following language:

I, TENANT/DEFENDANT IN THIS ACTION, UNDERSTAND THAT IF I FAIL TO MAKE ANY OF THE PAYMENTS CALLED FOR IN THIS AGREEMENT ON TIME, THE COURT MAY ORDER THE SHERIFF TO EVICT ME WITHOUT A HEARING. I ALSO UNDERSTAND THAT BY SIGNING THIS AGREEMENT I AM GIVING UP MY RIGHT TO FILE ANY APPEAL IN THIS CASE.

- (b) If the plaintiff has not filed an affidavit of non-compliance within 14 days of the date that the final payment under the agreement is due, the court shall dismiss the action.
- (c) The acceptance of any payment pursuant to such an agreement shall not establish a new tenancy.
- (d) If payments are not made when due, as evidenced by an affidavit of non-compliance filed with the court by the plaintiff and served in hand or at the abode of the defendant before the affidavit is filed with the court, the court shall issue a writ of possession, within 5 business days of the filing of the affidavit with the court, and without further hearing or judicial review.
- (e)(1) Notwithstanding the provisions of subparagraph (d), the court may hold a hearing to determine whether or not a writ of possession shall issue if the defendant files an objection or other pleading in court within 4 business days of the filing of the affidavit of non-compliance and certificate of service with the court, which alleges that:
 - (A) The defendant made a timely tender of the required payment; or
- (B) The defendant had a specific compelling cause for not tendering the required payment or payments on time, and that the defendant is able to tender the past-due payment or payments at the time the defendant files his or her objection or other pleading.
- (2) If the court finds that the defendant's motion or other pleading do not meet the requirements of subparagraph (1)(A) or (1)(B), it shall issue a writ of possession. If the court determines that the defendant's allegations meet the requirements, a hearing shall be scheduled to occur within 4 business days of the filing of the defendant's objection or other pleading.
- (f)(1) At any hearing under subparagraph (e)(2), the defendant shall have the burden to prove that:
- (A) The defendant has made timely payments, and therefore the writ of possession shall not issue; or
- (B) The defendant has brought to court cash or a certified check sufficient to tender all past-due payments, and the defendant had a specific compelling cause for his or her failure to tender any past-due payments.
 - (2) If the defendant fails to meet his or her burden of proof under subparagraph (1)(A)

or (1)(B), the court shall issue the writ of possession.

- (3) If the defendant meets his or her burden of proof under subparagraph (1)(B), the court shall order the defendant to tender, by cash or certified check, all past-due payments to the plaintiff immediately. If all past due-payments are tendered immediately by cash or certified check, a writ of possession shall not issue, otherwise a writ of possession shall issue.
 - 2 Effective Date. This act shall take effect upon its passage.

HB 1216-FN, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for Judiciary. RSA 91-A:4 grants all citizens the right to inspect governmental records. However, the statute explicitly states that public bodies or agencies are not required to compile, cross-reference, or assemble information into a form in which it is not already kept. This bill would reenact that portion of the law to require public bodies and agencies to compile and report information that is not normally kept after receiving payment by the requestor. The supporters of this bill testified that repeated right to know requests were refused on the grounds that the data requested was scattered and would require compiling. They believed that this bill would address the issue by mandating the compilation. The committee unanimously agreed that while there were some cases where compilation could be easily achieved, there were many more cases where this would not be so, and that the bill was so broadly written that it would have the impact of turning agencies into data researchers. Public bodies and agencies do not have the resources to execute this kind of work on a large scale. The current right to know statute grants anyone the right to inspect any document for free, and it has no restrictions on how the requestor may choose to compile or tabulate that data after it has been received. The committee therefore felt that this bill was unnecessary and burdensome. Vote 12-0.

HB 1218, relative to levy of executions on shares in any corporation. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill attempts to add a criminal penalty to civil litigation. The language of the bill is directed to "officers" of a corporation who fail to give appropriate notice of the sale in two adjoining towns, 30 days prior to the sale. Failure to provide this notice would result in a "penalty" and find an "officer" guilty of a "violation" and subject to a "fine" equal to the value of such shares or interest. This is inconsistent and contrary to the civil law in New Hampshire. Vote 15-0.

HB 1276, relative to a taxpayer's application for a property tax abatement. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to allow a taxpayer to raise constitutional issues when seeking a tax abatement. The committee believes that tax abatement boards should not be asked to rule on such issues. Vote 17-1.

HB 1306, allowing periodic payments of judgments to include assignment of wages. INEXPEDIENT TO LEGISLATE.

Rep. Michael Sylvia for Judiciary. This bill would allow the court to order judgment in some circumstances to be deducted from wages by employers. The sponsor agreed that the bill needs substantial additional work. Vote 16-0.

HB 1333, requiring that courts provide jurors with information regarding the authority of the position of juror. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for Judiciary. This bill seeks to educate jurors as to their authority by requiring that courts provide educational information to prospective jurors with their juror qualification forms. The bill also specifies the language of the information to be provided. While some members of the committee felt that there might be value to an educational brochure or pamphlet, the bill as written takes language directly from literature generated by the Fully Informed Jury Association and mandates its use. The committee unanimously found the proposed language to be unnecessarily harsh and combative and believed it would inevitably create an adversarial relationship between the jury and the judge. Vote 16-0.

HB 1413, establishing a commission to study processes to resolve right-to-know complaints. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill would establish a commission to study processes to resolve right to know complaints. The bill as written would create a narrow and unbalanced commission membership. It includes a member from Right to Know New Hampshire, and fails to include other significant stakeholders. Suggestions for a more balanced membership were discussed at the hearing on this bill, however, no amendment was offered. In addition, the focus of study by the commission is about creating an ongoing board or commission to adjudicate citizen right to know complaints. The committee did not support this concept. Vote 11-3.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies. OUGHT TO PASS. Rep. Mark McLean for Judiciary. This bill addresses the type of information that is to be included in the minutes of nonpublic sessions under the right to know law. Testimony revealed that there is confusion as to what should be in the contents of nonpublic minutes and this has led to a wide variation in the application of the law in cities and towns throughout the state. The bill creates consistency by clarifying that the same content that is contained in public minutes must also be contained in nonpublic minutes. In addition to this, the nonpublic provisions that allow for the sealing of minutes containing sensitive information are untouched by this bill. Thus, the right to keep sensitive information confidential is preserved. This bill had broad support from both right to know activists and the New Hampshire Municipal Association. Vote 18-0.

HB 1419, relative to voting records in nonpublic sessions of public bodies. OUGHT TO PASS. Rep. Michael Sylvia for Judiciary. This bill makes a slight change to our right to know statute as it applies to the minutes of nonpublic sessions under RSA 91-A:3, III. The minutes of nonpublic sessions with this change will require that the vote of each member may be ascertained. This can be accomplished by noting a unanimous decision, those dissenting, or a roll call. The committee believes this is a simple rule which will enhance transparency as required under Part I, Article 8 of our Constitution. Vote 18-0.

HB 1494, relative to the expectation of privacy in personal information. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The majority of the committee recognized that this bill dealt with issues of great importance to the people of New Hampshire. However, the remedies in the bill were unworkable and overly broad, and for the most part would be more appropriately addressed at the federal level. Furthermore, the bill had numerous technical flaws; for example, it would apply to all activities of any government contractor with the federal government, including activities not directly related to the contracts themselves. Vote 19-1.

HB 1510, relative to the review of minutes of nonpublic sessions. **INEXPEDIENT TO LEGISLATE.** Rep. Linda Kenison for Judiciary. This bill requires public bodies to properly notify persons who are the subject of certain nonpublic sessions. This bill also requires public bodies to review minutes of nonpublic sessions every three years and after review such records may be sealed. This bill relates to nonpublic meetings having to do with employee dismissal, promotion, compensation, discipline, or investigations of charges against him or her. This blanket requirement of the public body to review such records every three years, by calling another nonpublic meeting to determine if the record should remain sealed, is not practical. There are decades of such records. To carry this out would result in untold financial costs, as well as time and resources. The bill lacks a fiscal note to address the financial costs. Vote 16-2.

HB 1569-FN, relative to volunteers under the department of resources and economic development. OUGHT TO PASS WITH AMENDMENT.

Rep. David Woodbury for Judiciary. Under present law, volunteers performing duties at a state park, forest, reservation, trail or historic site will be defended and indemnified, in case of a lawsuit, by the Attorney General's Office and State Treasury. Umbrella organizations, corporate or non-profit do the same work, but do not have the same protection. This bill, as amended, brings both the persons and the organizations into line with one another giving both an identical level of protection. This allows the organization to function and perform valuable services to the state with confidence they will be defended and indemnified. Vote 17-1.

Amendment (0633h)

Amend RSA 216-A:3-h as inserted by section 1 of the bill by replacing it with the following:

216-A:3-h Indemnification of Department of Resources and Economic Development Volunteers. Any person recognized by the commissioner of the department of resources and economic development as a volunteer or, notwithstanding RSA 508:17, II, a corporation or other nonprofit legal entity that is recognized by the commissioner of the department of resources and economic development, and who is under the general supervision of authorized department of resources and economic development personnel, and is actually performing assigned volunteer duties or activities at a state park, forest, reservation, trail, or historic site, shall be considered as a state employee for the purpose of defense and indemnification from civil suits under RSA 99-D.

AMENDED ANALYSIS

This bill indemnifies volunteer organizations working for the department of resources and economic development.

HB 1577-FN, relative to alternatives to incarceration as a criminal penalty. INEXPEDIENT TO LEGISLATE.

Rep. Linda Kenison for Judiciary. The sponsor favored alternatives to incarceration for non-violent offenders. While the committee agrees with reducing the number of incarcerations, this bill does not achieve this goal. The bill adds an unnecessary layer for prosecutors by requiring them to submit a written statement to the court, duplicating what is currently done at oral argument in court and which is recorded. Further, this bill would add additional work for the clerk of court and additional time for the judge to review the written statement. The Judicial Branch estimates the fiscal impact of this bill to exceed at least \$10,000 annually and the counties assume an unspecified cost for attorney and staff time. Vote 16-0.

HB 1582-FN, relative to judicial salaries. INEXPEDIENT TO LEGISLATE.

Rep. Linda Kenison for Judiciary. This bill would eliminate the weighted caseload method of compensation for part-time district and probate court judges and require them to be paid the same salaries as full-time judges. The sponsor of the bill testified that he opposes his bill due to the prohibitive cost to the state. Vote 15-0.

HB 1596-FN-L, changing the marriage license requirement to a requirement that couples obtain a certificate of notice of intent to marry and a certificate of marriage. **INEXPEDIENT TO LEGISLATE.** Rep. Timothy Horrigan for Judiciary. This bill proposed totally revising the law related to marriage licenses, apparently by rolling back many provisions of vital records law and marriage law to how the laws were at some point in the distant past. This bill, if passed, would severely disrupt the keeping of vital records, would delay and complicate couples' wedding plans, and would totally disregard changes to marriage law made in recent decades. Vote 16-0.

HB 1607-FN, relative to entering dismissals of cases by nolle prosequi. INEXPEDIENT TO LEGISLATE.

Rep. Mark McLean for Judiciary. This bill requires that a state or county attorney seeking to dismiss a case by nolle prosequi must have the Attorney General issue a written report evaluating the evidence to the parties to the case a minimum of five business days before the dismissal is sought. The sponsors of the bill felt it was necessary to prevent termination of prosecution without advance notification to the involved parties. However, this bill would create a need for the Attorney General to oversee all county attorneys and their prosecutorial decisions. This would have a substantial fiscal impact on the Department of Justice. The bill would also inhibit the discretion and flexibility of the county attorney. In many cases, the need to nol pros is immediate and the five-day notification would not be able to be met. If, for example, a witness were absent or reluctant, this bill would force the county attorney to go forward with the case even though it was not ready, potentially resulting in an undesirable verdict that would prevent future prosecution. Vote 15-1.

HR 17, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for Judiciary. This bill sought to investigate whether cause exists for impeachment of Governor Maggie Hassan. The committee could find no basis in the text of the bill or in the testimony presented. Vote 15-0.

HR 18, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill sought to direct the Judiciary Committee to investigate several justices and clerks of court based on the assertion that they made decisions that were not constitutional and were a violation of laws. The committee found no basis in the text of the bill or in the testimony presented. Vote 14-1.

HR 19, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. INEXPEDIENT TO LEGISLATE.

Rep. Joseph Hagan for Judiciary. This bill sought to direct the Judiciary Committee to investigate whether cause exists for impeachment of all the executive councilors. This is a constituent bill to address lingering grievances against the Judiciary. No evidence was presented by the sponsor or the constituent that merited further action. Vote 15-0.

HB 1108, relative to inquiries by employers into the criminal history of applicants for employment. **REFER FOR INTERIM STUDY.**

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill presented to the committee would have banned employers from asking potential employees if they had been convicted of a crime on an employment application. The committee agreed the bill as presented had some technical problems on which consensus could not be gained. The committee did however support the concept of giving those convicted of a crime a second chance. The Refer for Interim Study motion will allow the committee to continue to look at all options to carry out this concept. Vote 22-0.

HB 1278, requiring payment of lawful money to employees. **INEXPEDIENT TO LEGISLATE.** Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill sought to punish banks and credit unions with the crime of theft by extortion for charging a non-member a fee for cashing a payroll check. Current law RSA 275:43 addresses the issue adequately making this legislation unnecessary. Vote 13-0.

HB 1331, relative to the membership of the compensation appeals board. OUGHT TO PASS WITH AMENDMENT.

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. The bill as amended makes clear the experience requirements a person must have to be appointed to the Compensations Appeals Board, which hears appeals on workers compensation claims. The bill came to us because the Department of Labor was having difficulty finding interested parties with the experience required under the current statute which requires at least five years of workers' compensation experience. The original bill added equivalent experience in the field of employment. The amendment requires at least five years of experience in workers' compensation law, human resources, or administrative law. Vote 18-0.

Amendment (0628h)

Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is established a compensation appeals board. The board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

AMENDED ANALYSIS

This bill clarifies the experience that the members of the compensation appeals board must have to be members of the board.

HB 1341, relative to employee payments to unions. REFER FOR INTERIM STUDY.

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. While the committee felt the premise of this bill deserves consideration, as written, the bill needs further study. Vote 18-0.

HB 1463, relative to mandatory vaccines. REFER FOR INTERIM STUDY.

Rep. Tammy Simmons for Labor, Industrial and Rehabilitative Services. The original bill dealt with mandatory vaccines and potential resulting workers' compensation claims from adverse effects of the vaccines. The sponsor's proposed amendment, while still dealing with vaccinations provided by employers, no longer pertained to a labor statute but to RSA 151, which the committee unanimously agreed would fall under the purview of the Health, Human Services and Elderly Affairs Committee. While both the original bill and the suggested amendment had some merit, neither, as written or suggested, has the support of the committee. Vote 20-0.

HB 1476, relative to prohibitions on the employment of youth. **INEXPEDIENT TO LEGISLATE.** Rep. William Infantine for Labor, Industrial and Rehabilitative Services. The committee heard two bills regarding the same issue. The parties agreed to kill this bill and to amend the remaining bill (HB 1301) to deal with one combined piece of legislation. Vote 13-0.

HB 1512, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. **REFER FOR INTERIM STUDY.**

Rep. Keith Murphy for Labor, Industrial and Rehabilitative Services. This bill is intended to address the unfortunate fact that the Department of Labor and the Department of Employment Security use different definitions for the terms "employee" and "independent contractor." In some cases employers have followed the definition provided by one agency only to face penalties and interest from another agency. The sentiment of the committee was that this inconsistency is unfair and confusing to both employers and employees. However, providing a common definition proved to be a very complicated task raising issues of possible worker misclassification, and the committee was unable to achieve a solution in the short time window prior to crossover. Rather than possibly cause harm through unintended consequences, the committee felt it best to take the time to solve this problem after due consideration and input from all stakeholders. Vote 22-0.

HB 1523, relative to government construction contracts. REFER FOR INTERIM STUDY.

Rep. Jack Flanagan for Labor, Industrial and Rehabilitative Services. Although the bill was well received and has merit, it failed to address two areas of concern. First, it restricts controls set at the local level. Second, it was best suited for contracts under \$25 million dollars. Vote 19-1.

HB 1535-FN, relative to liability for payment of criminal record background checks and drug tests. **INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. If passed, this bill would have prevented an employer from recovering the costs of both criminal background checks and drug testing. The majority believes that the employer/employee contractual relationship should not be interfered with by further legislative actions. During the hiring process, an employer will determine who is responsible for the costs of background checks and drug testing. Once employed, the employer will have already made known to the employee which party is responsible for those costs going forward. The employee, as a condition of employment, must then accept those conditions. An employee paying costs associated with employment is not uncommon. Employees in many job classifications are personally responsible for the costs of maintaining their health, expertise, licenses and training to acceptable/adequate levels. Finally, current statutes authorize municipalities to require job applicants to pay the costs of background checks. This bill would therefore set up a situation where private employers would be subject to laws that public employers would not have to adhere to. Fiscal note information provided by the New Hampshire Municipal Association also point to multiple ambiguities as to the bill's application. Vote 16-1.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. As amended, this bill would require that employers notify workers' compensation claimants when they are placed on Family and Medical Leave Act (FMLA) leave as a result of worker injury. The notification requirement replaces the original bill, which prohibited an employer from requiring an employee to file for or accept time off under the FMLA as a result of such injury. FMLA provides a limited extension to medical benefits and we heard testimony from workers who were taken by surprise when losing coverage due to a workplace injury while federal law does require notification. The committee unanimously agreed that an effort to fully inform impacted workers was appropriate at the state level. Vote 22-0.

Amendment (0680h)

Amend the bill by replacing section 1 with the following:

1 New Section; Leave Time; Notification Required. Amend RSA 281-A by inserting after section 19 the following new section:

281-A:19-a Leave Time Due to Workers' Compensation Injury; Notification Required. An employer shall notify an employee, in writing, relative to the benefits and adverse effects of signing an application for, or accepting time off under the Family and Medical Leave Act of 1993, as amended, as a result of a workers' compensation injury when the employee is eligible. The employer shall provide such notification either prior to the employee being placed on family and medical leave or the employer accepting an application for family and medical leave from the employee.

AMENDED ANALYSIS

This bill requires an employer to notify an employee, in writing, relative to the benefits and adverse effects of signing an application for, or accepting time off under the Family and Medical Leave Act as a result of a workers' compensation injury.

CACR 14, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. Members of the committee agree with the concerns expressed by the supporters of this proposed constitutional amendment. Local control over local land use is very important. However, committee members were concerned about the possible effects of the proposed language, which is very broad. The committee could not see any language which limited local power to issues of land use. Concern was expressed that the language could be used to allow a local community unfettered taxing authority. Concern was expressed that a community desiring, with the support of a large vote of its' residents, to authorize the building of a large gambling casino by an out of state corporation, might be able to use this language as way to circumvent state law and do just that. We were told that the proposed amendment would not completely override state or federal law, but the argument was not clear as to how. Opposing opinions were expressed as to whether adoption of the amendment would make New Hampshire a home rule state. A further concern is the expenditure of public funds which would inevitably occur when some entity challenged the new provision of the state constitution on the grounds of federal preemption, and the state would be forced to defend one or more costly lawsuits. With all these concerns and questions unresolved, the committee thought that a vote of Inexpedient to Legislate was the only option at this time. Vote 6-0.

CACR 18, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This proposed amendment to the state constitution would increase the compensation of state legislators from \$100 to \$2,500 per year. We have many times over the years turned down raises for ourselves and we should continue to do so. Vote 8-0.

CACR 19, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This proposal to amend the state constitution would prevent any state expenditures for any corporation which has the object of taking innocent human life at any stage of development. The wording of the amendment is very vague. It also lacks definitions. It appears that the functions of the New Hampshire National Guard would be constrained. The committee believes that some important medical interventions in hospitals in New Hampshire could be curtailed. And, finally, many unintended consequences were foreseen. Vote 8-0.

CACR 20, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony Pellegrino for Legislative Administration. This proposal to amend the state constitution would change the vote required to override a governor's veto from two-thirds of those present and voting to three-fifths. The current Article 44 has worked fine since 1792. A majority of the committee felt that it was not necessary to change it at this time. Two-thirds is a standard super majority for many other procedures and states, and we saw no reason to change it just for veto overrides. Vote 7-1.

CACR 25, relating to legislation. Providing that bills dealing with assessments, rates, and taxes shall originate in the house of representatives. INEXPEDIENT TO LEGISLATE.

Rep. Sherman Packard for Legislative Administration. Part 2, Article 18 of the NH Constitution has been in existence since June 2, 1784. This article requires all money bills to originate in the House. When something has worked successfully for that long the committee felt there was no reason to change it. The current language allows the proper amount of discretion for us to deal effectively with bills relative to assessments rates and taxes. Vote 7-1.

HB 1103, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Legislative Administration. This bill required an annual report from the trustees of Dartmouth College pertaining to income and expenses for a certain tract of land that had been granted to the college in 1807. Discussion of the bill revealed that this report had been initiated by the college and that this bill was premature. Vote 6-0.

HB 1163, relative to lobbying, campaign contributions, and political advertising. INEXPEDIENT TO LEGISLATE.

Rep. Sherman Packard for Legislative Administration. This bill contains a number of provisions designed to enhance transparency in the political process. The committee feels that the goals of this legislation are laudable but that further work should be done to ensure that the proposed changes to the legislative ethics, lobbyist registration and campaign finance laws don't lead to unintended consequences and that they address problems that exist at the state level. Vote 6-0.

HB 1233, relative to the right of attendance by general court members at legislative proceedings. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. The committee discussed the existing provision addressing the ability of legislators to attend legislative proceedings and whether it presented any problems. The committee members felt that the current law covers travel to and from the State House for legislative business effectively. Vote 7-0.

HB 1234, relative to the seal of the general court. INEXPEDIENT TO LEGISLATE.

Rep. Lucy Weber for Legislative Administration. This bill would adopt the first state seal, the fish, tree, and bundle of arrows, as the seal of the General Court. The bill would also restrict the use of this seal to current and former members of the New Hampshire House and Senate and legislative staff. Committee members believe the first state seal belongs to the people of New Hampshire, and it should not be so restricted. Vote 7-0.

HB 1319, relative to seating assignments of members of the house of representatives. **INEXPEDIENT TO LEGISLATE.**

Rep. Anthony Pellegrino for Legislative Administration. This bill would require the Speaker to consider a member's physical disability when making seating assignments in the House chamber. This is already the practice in the House and legislation in this area is not needed. Vote 7-0.

HB 1325, relative to the election of chairs of house standing policy committees. INEXPEDIENT TO LEGISLATE.

Rep. Sherman Packard for Legislative Administration. RSA 14-A:1 currently outlines the process for filling a vacancy when the position of chairman of a legislative committee becomes vacant for any reason. This law permits the Speaker or the Senate President to appoint another member of the committee to fill the vacancy. The committee feels that this process is appropriate and should not be changed. Therefore, this bill is unnecessary. Vote 8-0.

HB 1326, prohibiting the general court from filing legislation in the second year of the session. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This bill would prohibit the filing of bills in the second year of the session. Many on the committee believe there should be a way of limiting excessive filing of bills. However, the adoption of this bill would restrict a member's ability to help a citizen address a problem through the legislative process. Vote 8-0.

HB 1386-FN, establishing a process for petitions for redress of grievance. **INEXPEDIENT TO LEGISLATE**.

Rep. Lucy Weber for Legislative Administration. This bill would establish by statute a permanent Legislative Committee for Redress of Grievances, with broad authority, among other things, to overturn actions taken by the executive branch, award sums of money to petitioners, remove judges, and issue directives to state agencies. We were also asked to ensure the committee would have the power to overturn judicial decisions. Members of the committee were concerned that efforts by one legislature to fix the rules of future legislative bodies by statute would be ineffective, as one legislature cannot bind the next. Members of the committee were also concerned about unconstitutional intrusion into the realms of the other two branches of government, and were persuaded by a legal opinion issued by House Counsel that any effort on the part of the legislature to overturn judicial decisions is also unconstitutional. With respect to the workings of the executive branch, the legislature may change those at any time by the usual passage of a bill into law. Vote 9-0.

HB 1432-FN, including the legislature as a public employer under the public employee labor relations act. INEXPEDIENT TO LEGISLATE.

Rep. Pamela Tucker for Legislative Administration. This bill attempts to solve a problem that has yet to be revealed. The bill would require collective bargaining (union representation) for all of the employees of the legislature. The employees in the legislative branch would lose their individual negotiating power to their wages. Individuals with exemplary service could not receive raises based upon their stellar performance, but would be tied to a negotiated pay raise for all. This does not promote efficiency in our government. During the hearing, there was no demonstrated need brought forth for this bill. In the words of FDR, "The Government does not engage -- of course, the words "collective bargaining" were unheard of in those days -- the Government does not make contracts with any Government employee." The application of FDR's statement to all branches of government should be considered instead of this bill. Vote 7-1.

HB 1441-FN, requiring business impact notes for proposed legislation. REFER FOR INTERIM STUDY.

Rep. Sherman Packard for Legislative Administration. This bill requires the Department of Resources and Economic Development to prepare 'business impact notes' for bills. These notes would be written in addition to the 'fiscal notes' already required and before the introduction of a bill. They would involve an extensive analysis of the proposed legislation including comparisons to other state and federal laws. The committee believes that this is an idea ahead of its time, but feels that more work should be done to ensure that any new process can realistically be completed within the constraints of our current bill drafting and introduction deadlines. By sending this bill to study, we will have more time to examine all of the implications of the bill. The Clerk of the House has offered to assist the committee in making the bill more workable. Vote 6-0.

HB 1454, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. INEXPEDIENT TO LEGISLATE.

Rep. Sherman Packard for Legislative Administration. This bill would establish a legislative committee to study and develop a process for inhabitants of the state to effectuate their rights under Part 1, Article 14 of the state constitution. This article entitles subjects of the state to free and prompt access to legal remedies for all injuries they may receive. The committee does not feel that a study committee is the best approach for addressing the concerns of the sponsor. Vote 8-0.

HB 1465, relative to recording of roll calls of legislative committees. INEXPEDIENT TO LEGISLATE.

Rep. James MacKay for Legislative Administration. The central focus of this legislation is to make available to the public the results of roll call votes and other pertinent data in as timely a manner

as possible. The Office of the House Clerk is already taking responsibility to satisfy the interest of this legislation. The important goals of this bill are in the process of being reviewed and achieved and therefore the legislation is not needed. Vote 7-0.

HB 1486, relative to membership of the state house bicentennial commission. **OUGHT TO PASS.** Rep. Lucy Weber for Legislative Administration. The bill adds four people to the State House Bicentennial Commission: the clerks of the House and Senate, and the chiefs of staff of the House and the Senate. Committee members believe this is a necessary and important addition for planning, scheduling and general liaison purposes as we prepare for the bicentennial celebration in 2019. Vote 6-0.

HB 1653-FN, establishing a citizen complaint and grievance website. INEXPEDIENT TO LEGISLATE.

Rep. James MacKay for Legislative Administration. This bill is an attempt to provide another avenue to service a focus on citizen complaints and grievances. It is clear the House has no authority to overturn a court ruling. In fact, it is deemed to be unconstitutional. Thus, it is clear that the office of the House Clerk has no legal authority to establish and maintain an internet website for receiving and reviewing citizens' complaints and grievances. House Legal Counsel has written a 'Redress of Grievances Analysis as of 2015' which is pertinent to the legal questions raised by the proposed legislation. Vote 9-0.

HB 1669-FN, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. **INEXPEDIENT TO LEGISLATE**.

Rep. Pamela Tucker for Legislative Administration. This bill establishes a procedure for the ratification or rejection of a proposed amendment to the US Constitution. This procedure would only take effect in the event that Congress proposes an amendment and has not specified that it must be addressed by the state legislatures and the manner in which constitutional conventions must be constituted. The committee feels that it is unnecessary to adopt the procedure proposed by this bill at this time. Vote 8-0.

HCR 12, urging support of the 65/25 initiative in New Hampshire. OUGHT TO PASS.

Rep. Lucy Weber for Legislative Administration. The 65/25 initiative is a workforce enhancement goal created by a coalition of business interests and educational institutions. The goal is to ensure that 65 percent of the New Hampshire workforce has a postsecondary educational qualification by the year 2025. Meeting this goal will help ensure that New Hampshire has a workforce that will be qualified for the jobs that will be needed in the future. The New Hampshire Coalition for Business and Education requested the endorsement of the legislature on this important goal. Vote 7-0.

HR 16, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. INEXPEDIENT TO LEGISLATE.

Rep. Russell Ober for Legislative Administration. This resolution is in support of the concept of prohibiting a campaign contribution in any national election by any person or entity who was not eligible to vote in that election locally. This would mean that a citizen of New Hampshire would not be allowed to contribute to a candidate running for office in the state of Massachusetts. Vote 6-0.

HB 1164, relative to contributions by a city to the county or state. OUGHT TO PASS.

Rep. Marjorie Porter for Municipal and County Government. This bill amends RSA 44:1 by allowing cities, upon approval by the city council, to make voluntary contributions of funds or resources to county or state projects. Vote 15-0.

HB 1179-L, relative to the taxation of manufactured housing on the land of another. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill would shift the liability for back property taxes on a manufactured home from the homeowner to the landowner upon which the home was located. The landowner has no authority to collect taxes and has no leverage to force compliance from the delinquent taxpayer. Vote 16-0.

HB 1181, relative to designating an alternate cemetery trustee. OUGHT TO PASS.

Rep. Benjamin Tilton for Municipal and County Government. This bill allows the governing body (select board) to appoint alternates to serve as a cemetery trustee. Alternate trustees would serve for a one-year term and could support the elected trustees as well as act in the absence of an elected trustee to conduct the business of the board. There are times when a three-member board has a

member that is absent, which provides the possibility of a tie vote and an alternate member could solve that problem. The language in this bill is the same as provided for library trustees and trust fund trustees. The committee felt bringing this in line with other elected bodies was beneficial. Vote 15-0.

HB 1190, relative to a grant of land to Dartmouth College. INEXPEDIENT TO LEGISLATE. Rep. Ken Peterson for Municipal and County Government. This bill would have prohibited the sale of certain land granted by the General Court to Dartmouth College in 1807. It would have repealed an act approved July 10, 1846, in the Laws of New Hampshire permitting sale of this land. The committee believes the bill is unconstitutional because it seeks to repeal the 1846 Act. Part I, Art. 23 of the New Hampshire Constitution, entitled "Retrospective Laws Prohibited" applies. The right to sell property is a vested property right. The legislature may not revoke that right or condition it after the fact. The bill is no different from a private landowner who sells property, later seeking to prevent the sale of that land, despite having no ownership right in it. Vote 16-0.

HB 1202, relative to applications submitted to a planning board. OUGHT TO PASS.

Rep. James Belanger for Municipal and County Government. This bill deals with time lines for planning board applications. Current law states: the applicant shall file the application with the board or its agent at least 15 days prior to the meeting at which the application will be accepted. Many planning boards find that time period too short to deal with incomplete applications, publishing notices, notifying abutters, etc. This bill increases that time to 21 days which would allow sufficient time for processing applications. There were no objections to this bill presented in the public hearing. Vote 17-0.

HB 1203, relative to voting on variances. OUGHT TO PASS.

Rep. James Belanger for Municipal and County Government. Most New Hampshire municipalities have enacted zoning ordinances to control how their community controls and manages growth and development among other things. The legislative body votes to approve these stipulations on how their community will be governed and this becomes their zoning ordinance. Varying from the established ordinance should not be treated lightly as any change in the written ordinance modifies what the community has decided will be the ground rules, so to speak. Five members of a zoning board are allowed to vary the stipulations in the adopted ordinance if the applicant meets five criteria set in NH law. A vote of three of the five voting members is all that is required to grant a variance from the adopted ordinance. In order to ensure that each of those five criteria are taken individually and seriously, this bill requires each of the five criteria be treated individually to ensure the provisions of the laws set down in our statutes are met. It was the intent of the sponsor and co-sponsor of this bill, as evidenced by testimony, that the same three members of the board vote in the affirmative on all five criteria. However, during the deliberation in executive session, it was not clear to all committee members that the same three members needed to vote in the affirmative on all five criteria. In order to make that clear, the sponsor had an amendment drafted that specifically said the same three members had to approve each of the five criteria. When that amendment was presented to the committee during executive session, it was defeated by a vote of eight in the affirmative and nine in the negative. Then the original wording of the bill was presented and was approved on a vote of fourteen to three. It was then clear that the intent of the Municipal and County Government Committee that a vote in the affirmative on each criteria by any three members was sufficient to approve but that all five criteria be voted on individually. Therefore, an affirmative vote by any three members of the zoning board on each of the five criteria is needed to vary the provisions of the municipality's zoning ordinance. Vote 14-3.

HB 1222, relative to procedures for appraisals by assessing officials. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill requires assessing officials to make three attempts for an in-person inspection of property before applying a statistical update to an appraisal for property tax purposes. This bill would place restrictions on assessing officials while in the performance of their duties with respect to viewing properties for purposes of re-assessments. The Department of Revenue Administration (DRA) testified that this would place an added burden on a community as well as significantly increase costs. Assessors testified in opposition with the Manchester assessor indicating this would increase costs to the city by three times. The current system of gaining access to property is working well. Vote 15-0.

HB 1244-L, relative to municipal cemeteries. OUGHT TO PASS WITH AMENDMENT.

Rep. David Bickford for Municipal and County Government. If a municipality has a problem providing a cemetery within its boundaries this bill will allow it to enter into agreements with adjacent municipalities to provide space. The original bill allowed agreements with "for profit" cemeteries which are illegal in NH. The amendment removed the "for profit cemetery" option. Vote 14-1.

Amendment (0379h)

Amend RSA 289:2 as inserted by section 1 of the bill by replacing it with the following:

289:2 Municipality to Provide. Every municipality shall provide, or may enter into agreements with adjacent municipalities or nonprofit entities to provide, one or more suitable cemeteries for the interment of deceased persons [within its boundaries], which shall be subject to such regulations as the municipality may establish. In the absence of regulations established by vote of the legislative body, the cemetery trustees may establish such regulations pursuant to RSA 289:7, I(a). The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the cemetery trustees.

HB 1253-L, relative to the removal of land use board members and municipal officers. **INEXPE-DIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill modifies the provisions for removing land use board members and repeals the provision for removing certain municipal officers. The bill goes into great detail in listing the reasons and justifications for removing appointed or elected members with explanations of such reasons as incompetency and malfeasance. The existing statutes are rather clear and appear to include all the contents of this new bill. The bill provides for appeals from dismissal to the Superior Court and holds the governing body responsible for legal and other fees in the event the court determines the dismissal was not justified. The final portion of the bill removes insanity and incapacitated to discharge the duties of the office as reasons for removal. This could create an involved legal battle if an insane or incapacitated person were removed from office. The committee felt existing statutes already cover what this bill attempts to adopt and this bill is unnecessary. Vote 14-1.

HB 1259, relative to liability for third party review of site plans. INEXPEDIENT TO LEGISLATE. Rep. Catherine Cheney for Municipal and County Government. The intent of the bill was to solve a problem of unreasonable requests for third-party review of projects by planning boards. Citizens desiring to improve their lots bring in the appropriate engineered plans and planning boards can ask for another engineered plan or review by another firm. Contrary to the expectations of fairness from all planning boards, abuse has been known to occur as a result of nepotism and preference given to firms with whom members of the board have favor, either as friends or relatives of the engineer. The committee felt the bill using the term "one lot" was not specific enough because a large project could be situated on one lot and other reviews may be prudent for the larger project albeit on a single lot. Further study of this situation and preventive measures to protect citizens need to be put in place. Last year we passed SB 98 (Ch. 126, Laws of 2015) to have planning boards and the applicant compose a list of three firms for third-party reviews from which a second firm was to be chosen by mutual agreement. However an unforeseen consequence of this bill is that some planning boards select firms a long distance away and the person seeking the permit pays for travel time. This bill corrects unforeseen circumstances resulting after the passage of last year's bill. Vote 17-0.

HB 1260, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. This bill removes the authority of assessing officials to obtain an administrative inspection warrant to inspect property to complete an inventory or appraisal for purposes of property taxation. This would hinder the ability for assessing officials to perform their duties and possibly end up costing the community in legal fees. Assessors need a mechanism to view the interior of a property to assess value and ensure that the tax levied on the property is fair. This is a last ditch effort for assessors and is a valuable tool which should not be eliminated. When access to a property is refused, officials should be able to continue to get a warrant even if it means going before a justice with probable cause. The committee felt this bill tied the hands of assessing officials and could allow lower assessments than what is fair. Upon passage of this bill, refusals to allow entry would increase dramatically. For that reason, and others, the committee recommends this bill be Inexpedient to Legislate. Vote 15-0.

HB 1262, relative to the application of zoning ordinances to home-based businesses. INEXPEDIENT TO LEGISLATE.

Rep. David Bickford for Municipal and County Government. This bill applies to unincorporated places which are governed by county government. The counties showed no interest in the state limiting home based business to gross business receipts of \$200,000 or less. The committee felt this bill was not needed. Vote 13-1.

HB 1277, establishing a homestead act. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill would allow any property owner of a primary residence not to pay taxes and continue to occupy at least half the property under the homestead statutes. The bill says an indebted person claiming a homestead right may assert a common law right to moiety, or up to half of the freehold/estate, and the other half temporarily subject to be occupied and used by the creditor until the claimed debt shall be either extinguished by a court action or paid in full. The committee felt this provided a loophole to allow a property owner to avoid paying taxes indefinitely. Vote 15-0.

HB 1284, relative to highway agents. INEXPEDIENT TO LEGISLATE.

Rep. David Bickford for Municipal and County Government. The committee felt this bill contradicts RSA 231:65 which holds a road agent accountable when the circumstances require it. Governing bodies already have statutory authority to remove certain employees and this should not be treated any differently. Examples of reasons for removal would be offenses involving corruption, sexual assault on an employee, violations of administrative policies and ordinances of the municipality. The authority of the governing body to manage a community and do those things they were elected to do should not be undermined. Vote 15-0.

HB 1293, relative to the procedure for charter amendments. OUGHT TO PASS WITH AMENDMENT. Rep. Catherine Cheney for Municipal and County Government. This bill clarified some of the provisions for municipal officers and citizens regarding charter amendments. In 2014, HB 422 (Ch. 292, Laws of 2014) changed many aspects of RSA 49-B:4 and 5. Application of the law (RSA 49-B:5) in practice revealed a few things: it made sense to move text from one paragraph to another in a couple of instances, the bar for the number of signatures was too high, the process was confusing depending on which approach was taken, municipal or petition, and the process ended up in one comingled and confusing paragraph. There was not a need for an attorney's opinion of the charter amendment before sending to the state agencies (Secretary of State, Attorney General, and Department of Revenue Administration). Testimony showed that even with an attorney's opinion the state agencies might deem the language to be noncompliant with state law. The process of sending the charter amendment to the state agencies and applying their input to the amendment prevents confusion and works best. The Secretary of State, an attorney, and others familiar with charter amendments all testified that a redundant legal opinion is unnecessary. The requirement for the number of registered voters that voted in the last municipal election was lowered by the bill from 20% to 10%. Tables showing the numbers of the change revealed this was a very high bar to meet in both cases. In all cases, there are about 20 signatures in 100 that cannot be counted. The name may be unreadable, the person signing is not a registered voter of the community, the address does not match the voter checklist, a false name is given or for another reason the clerk is unable to deem the signature "sufficient." The amendment changed the number of signatures needed of registered voters in the community for a petition from 20% in current law and 10% as proposed in the bill, to 15%. The amendment changed the reference for those authorized by the petition committee to gather signatures from "persons" to "voters of the municipality," it separated out the processes for a charter amendment coming from the municipal officers versus by a petitioners' committee, and moved a few sentences around between paragraphs, which made more sense. Vote 17-0.

Amendment (0453h)

Amend the bill by replacing all after the enacting clause with the following:

1 Municipal Charter Amendments; Procedures. Amend RSA 49-B:5, I to read as follows:

I. The municipal officers may determine that one or more amendments to the municipal charter are necessary and shall, by order, provide for notice and hearing on them [in the same manner as provided in RSA 49-B:5, V(a)]. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain

the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them. If substantive changes are made to the proposed amendment, a hearing on the modified amendment shall be held. Notice of the hearing and the conduct thereof shall be as provided in this paragraph.

(a) Within 7 days after the last public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the proposed amendment. In the case of a report of an appointed committee, a copy shall be filed with the municipal officers.

- (b) Within 7 days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration under RSA 49-B:4-a, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers may order amendments to be placed on the ballot at either the next regular municipal election or [the next state biennial election, whichever occurs earlier,] at a special municipal election that occurs not less than 60 days after the order.
- [(a)] (c) Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject.

[(b)] (d) Alternative statements of a single amendment are prohibited.

- 2 Municipal Charter Amendments; Procedure. Amend the introductory paragraph of RSA 49-B:5, II to read as follows:
- II. On the written petition of a number of voters equal to at least $[\frac{20}{3}]$ 15 percent of the number of ballots cast in a municipality at the last regular municipal election, but in no case fewer than 10 voters, the municipal officers shall, by order, provide that proposed amendments to the municipal charter be placed on a ballot in accordance with the procedures set out *in paragraphs II-a through V*:
 - 3 Charter Amendments; Procedure. Amend RSA 49-B:5, II-a (b) and (c) to read as follows:
- (b) [The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form.] Each signature on the affidavit required by subparagraph II-a(a) shall be included in the clerk's count of the number of signatures required by paragraph II unless a signatory has signed both the affidavit and the petition, in which case the signature shall be counted only once.
- (c) Promptly after the affidavit is filed by the petitioners' committee, the clerk shall file a certified copy of the affidavit, including the proposed amendment, for review of the proposed amendment in accordance with RSA 49-B:4-a. Promptly after receiving approval of the proposed amendment from the state officials under RSA 49-B:4-a, the clerk shall issue petition form blanks to the committee. The petition forms shall read substantially as follows: "Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment(s) of the municipal charter as set out below. If more than one subject is included in a petition, each subject shall be addressed in a separate amendment".
 - 4 Charter Amendments; Procedure. Amend RSA 49-B:5, III(a) to read as follows:
- III.(a) [The petition forms shall read substantially as follows: "Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment(s) of the municipal charter as set out below." If more than one subject is included in a petition, each subject shall be addressed in a separate amendment.] The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form. Each signature affixed to a petition shall be in ink or other indelible instrument and shall be followed by the place of domicile of the voter with street and number, if any. No petition shall contain any party or political designation.
 - 5 Charter Amendments; Procedure. Amend RSA 49-B:5, V to read as follows:
- V.(a) Within 10 days of receipt of a report that a petition is sufficient, the municipal officers shall by order provide for and issue notice of a public hearing on the proposed amendment. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them; provided that in the case of an amendment submitted by voter petition, the hearing shall be conducted by the municipal officers. If, as a result of the public hearing, substantive changes are made to the proposed amendment, a second hearing shall be held] and no substantive changes may be made to the amendment. [Notice of the hearing and the conduct thereof shall be as provided in this section.]

- (b) Within 7 days after the [last] public hearing, the municipal officers [or the committee appointed by them] shall file with the municipal clerk a report containing the [final draft of the] proposed petitioned amendment [and a written opinion by an attorney admitted to the bar of this state that the proposed amendment is not in conflict with the general laws or the constitution. In the case of a committee report, a copy shall be filed with the municipal officers. Upon such filing, the provisions of RSA 49-B:4-a shall apply in the same manner as for a charter adoption; provided, however, that the municipal officers or the appointed committee shall be substituted for the charter commission for purposes of RSA 49-B:4-a, III.
- (e) Within 7 days after the approval by the secretary of state, the attorney general and the commissioner of the department of revenue administration, or within 7 days after the last public hearing in the case of an amendment submitted by voter petition, the municipal officers] and shall order the proposed amendment to be placed on the ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers shall order the amendments to be placed on the ballot at either the next regular municipal election or at a special municipal election that occurs not less than 60 days after the date of the order.
 - 6 Effective Date. This act shall take effect 60 days after its passage.

HB 1296, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. INEXPEDIENT TO LEGISLATE.

Rep. James Belanger for Municipal and County Government. The committee felt this bill was unnecessary. The bill would require a vote of the legislative body (town meeting in the case of towns) to approve the appointment of a town manager. Legislative bodies mostly meet only once a year at the annual meeting and mandating that they approve employee appointments like a town manager would not be workable. The bill also states, "No town manager shall hire any contractor to perform the duties he or she is required to perform." The committee felt this language might prohibit hiring an assistant and would undermine the authority and responsibilities of the governing body (selectmen in the case of towns). Vote 16-0.

HB 1304, relative to town maintenance of a road designated as a highway to summer cottages. INEXPEDIENT TO LEGISLATE.

Rep. Francis Chase for Municipal and County Government. This bill would mandate the town to plow a road designated as a "summer cottage road" by the legislative body if a summer resident decided to live there year round. The committee felt that the residence was purchased with the knowledge of the extent of maintenance on the road and that this was a self-created hardship. It should be no different than a residence on a Class VI road or a private road if the resident decided to change the conditions of his or her residency. The cure would be to petition the legislative body to change the class of the road and treat it like any other Class V road in town. Vote 13-2.

HB 1315, adding mixed-use development to the definition of business and industrial facility. OUGHT TO PASS.

Rep. Catherine Cheney for Municipal and County Government. The intent of the bill is to add the term "mixed-use development" to the definition of types of development that business development authorities facilitate with communities. Though RSA 162-G:16, IV states: "The provisions of this chapter shall be liberally construed in order to effect its purposes," adding the term to the existing definition in RSA 162-G:3, IV: "...commercial, business service, mixed-use development, manufacturing,..." clarifies this. This update to the definition has clear support from agencies and communities supporting walk-able communities, clean air and economic development. Even though some communities do allow this, making it clear will avoid any unnecessary court cases. Vote 12-2.

HB 1336-FN-L, relative to interest on abatements of taxes. INEXPEDIENT TO LEGISLATE. Rep. James Coffey for Municipal and County Government. When a taxpayer is granted a refund on paid property taxes, the municipality pays 6% interest on the amount. This bill proposes to increase that interest paid by the municipality from 6% to 12%. This appears to mimic the 12% interest penalty paid for late payment of taxes, which is also intended to be a deterrent for taxpayers from using their city or town as a short-term bank. An increase in the amount of interest being paid to the taxpayer when an abatement is granted would increase local government expenses, and in the instance of a large utility, commercial enterprise or industrial development, this could be significant. Vote 11-3.

HB 1363, relative to filling of vacancies in town offices. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill requires towns to provide notice of vacancies in town offices. More specifically, it states that the authorized body or person shall post notice of the vacancy to be filled in two appropriate places, one of which may be the town's Internet website, if such exists, or in a newspaper of general circulation in the town. The notice shall include a solicitation for letters of interest and only those persons who submit such a letter shall be considered. This limits the ability of the appointing authority to an unreasonable degree. The committee felt existing hiring practices differ in different municipalities and local control should prevail. Vote 14-0.

HB 1380, relative to duties of police commissions. INEXPEDIENT TO LEGISLATE.

Rep. Susan Treleaven for Municipal and County Government. This bill attempts to limit the power of police commissions with regard to setting budgets. It states that the police commission cannot set compensation to exceed the police department budget as established by the governing body. Statutes already control spending within the budget of any municipality. The committee recognizes that police commissions have authority over supervisory and advisory duties while the governing body and/or legislative body of the municipality already has control over the budgets set. Although money can be moved within line items in a budget by the governing body, the bottom line approved by the legislative body cannot be exceeded without strict adherence to statutes already in effect. After careful consideration, the committee felt that the police commission's spending is already limited by the police department budget and this bill is unnecessary. Vote 15-0.

HB 1384, clarifying powers of commissioners of deeds. INEXPEDIENT TO LEGISLATE.

Rep. Keith Ammon for Municipal and County Government. This bill attempts to clarify the power of a Commissioner of Deeds. Commissioners of Deeds are officers appointed by the Governor and Executive Council to a term of five years. They are authorized to administer oaths, take depositions and affidavits, and acknowledge instruments of writing intended to be used or recorded in the State of New Hampshire. They may or may not be residents of New Hampshire and are currently authorized to act both within and without the state. Importantly, this bill removed the authority of the Commissioner of Deeds to operate outside of the state of New Hampshire. It was due to this reduction in authority, and the unknown consequences that could result, that the committee voted to recommend Inexpedient to Legislate. Vote 15-0.

HB 1390, relative to municipal authority to restrict where registered sex offenders live. INEXPEDIENT TO LEGISLATE.

Rep. Keith Ammon for Municipal and County Government. The original version of this bill had two parts. 1) It would have allowed towns to make bylaws prohibiting registered sex offenders from residing within a certain distance from a school, daycare center, or another place where children regularly congregate. 2) It would also have allowed a sex offender who was convicted after a guilty plea without a trial, before the establishment of the sex offender registry, to petition the court to have his or her name removed from the registry. The bill came before the Municipal and County Government Committee due to the first part of the bill. The prime sponsor submitted an amendment to the committee that would have removed the first part and requested that the amended bill be sent to the Criminal Justice and Public Safety Committee. Since there are already two other bills with similar subject matter as the proposed amended version (HB 1318 and HB 1343) before the proper committee and have yet to be heard before the public, our committee decided to recommend Inexpedient to Legislate for this bill and allow the other bills to address the issue at hand. Vote 15-0.

HB 1392-L, relative to notice of land use violations and court costs in cases brought by a municipality. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill would prohibit a building inspector, or other municipal official, from visiting a location where no building permit has been issued, unless the owner is notified and written consent is obtained. It also seeks to allow for the recovery of costs, including loss of income and attorney fees, against any planning board, zoning board of adjustment or building code board of appeals, or as a result of any other administrative action, when a person who is charged with a violation of the New Hampshire Building Code is found to be not guilty of such violation. The proposed bill states that a court shall award fees if the municipality's legal action was in bad faith, frivolous, or not well grounded in fact. This bill attempts to make the award of costs mandatory for the court by the use of the word "shall." It sets criteria that are not well defined such as "well-grounded," which would further add confusion.

This proposal is unnecessary since courts already award costs to persons or businesses affected by improper action by a municipality. This bill is unnecessary and will lead to higher local costs and to making the job of our local officials more difficult. Vote 16-0.

HB 1395, relative to municipal electronic records. OUGHT TO PASS WITH AMENDMENT. Rep. David Bickford for Municipal and County Government. The bill allowed municipalities to store records in a portable document format (PDF) as well as paper and microfilm. The amendment allows such storage in PDF format on a medium from which it is readily accessible, as well as paper and microfilm. PDF documents can be stored at significantly less cost compared to the physical space for paper. Vote 15-2.

Amendment (0577h)

Amend RSA 33-A:5-a as inserted by section 1 of the bill by replacing it with the following:

33-A:5-a Electronic Records. Electronic records as defined in RSA 5:29, VI and designated on the disposition schedule under RSA 33-A:3-a to be retained for more than 10 years shall be transferred to paper[;] or microfilm, or [both] stored in portable document format on a medium from which it is readily accessible. Electronic records designated on the disposition schedule to be retained for less than 10 years may be retained solely electronically if so approved by the record committee of the municipality responsible for the records. The municipality is responsible for assuring the accessibility of the records for the mandated period.

HB 1407, establishing a property tax credit for persons providing certain home health care services for a family member. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill proposed that a tax credit of \$750 be given to a family member who provided "continuing health care, nursing care or other rehabilitative care" to another family member in the provider's primary residence. The committee was concerned that the tax credit was a mandate and not optional for a municipality to adopt and that the definition of what type of care would be provided was not defined. The application form that would be filed with the town was not specific enough for the assessing body to make a determination as to eligibility. Vote 17-0.

HB 1439-L, requiring regional planning commissions to file an annual report. INEXPEDIENT TO LEGISLATE.

Rep. James Coffey for Municipal and County Government. This bill modifies RSA 36:49 to require that all regional planning commissions shall make an annual report to include a summary of the activities of the agency and an audited financial statement. All regional planning commissions already require audits which are available. A publication of all of the past year's activities into a single report would be an added expense which will be passed on to the participating municipalities. Some planning commissions do prepare an annual summary of highlights and others send out frequent monthly updates of current work activity. This bill is unnecessary and will only serve to provide a coffee table book few will read. Vote 12-3.

HB 1460, relative to perambulation of town boundaries. INEXPEDIENT TO LEGISLATE.

Rep. Ken Peterson for Municipal and County Government. This bill removes the requirement that a municipality verify their town lines and bounds once every seven years. The reason given for changing the word "shall" to "may" and making the perambulation voluntary was that most towns don't do this now. This requirement was adopted for a reason and the fact that it is an old law does not make it obsolete. Physical verification that industrial and residential developments have not crossed over into an adjacent community is still needed. Examples of these instances happening do not support the assertion that GPS abilities of today render such verification unnecessary. Missing town bound markers and monuments cannot be detected by GPS. Finding that a building is not located in the community it was intended to be is always a surprise, and is something that GPS could not have detected. Bounds need to be inspected and property lines need to be verified, especially when the abutting property is in another state. The committee found a similar bill Inexpedient to Legislate last year and has not changed positions with this bill. Vote 14-1.

HB 1504-FN-L, relative to the execution of a real estate tax lien on a primary residence. INEX-PEDIENT TO LEGISLATE.

Rep. James Belanger for Municipal and County Government. This bill would prevent a community from executing a tax lien on property that was in arrears for non-payment of taxes in the community as long as that property was occupied by the owner as their primary residence. This would promote non-payment of taxes in periods where the stock market was yielding high returns with no incentive for the property owner to pay taxes. If this became widespread, the community could not meet its obligations without going out for tax anticipation notes and place the community in a financial crisis. Every property, no matter who occupies it, should be treated equally unless some of the existing statutes are used for deferred or abated taxes. Vote 15-0.

HB 1513, relative to the duties of registers of probate. REFER FOR INTERIM STUDY.

Rep. James Coffey for Municipal and County Government. This legislation attempts to reinstate the duties of the Register of Probate which was removed in 2011. The committee felt that this bill was incomplete and left too many open issues and requires additional study. Vote 15-0.

HB 1518, relative to village district members of budget committees. INEXPEDIENT TO LEGISLATE.

Rep. David Bickford for Municipal and County Government. This bill would remove the requirement that a member from a village district be appointed as a member of the municipal budget committee, thus denying the district of representation. The committee felt if a district is to be taxed the district needs a representative on the committee. Vote 14-1.

HB 1533, relative to noise level limitations for permanent machinery. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. The purpose of this bill was to give cities and towns the authority to create noise ordinances. That ability already exists in RSA 31:39(n). At the request of the prime sponsor the committee voted Inexpedient to Legislate. Vote 16-0.

HB 1559-FN, relative to property taxes paid by education facilities leasing property. **INEXPEDIENT TO LEGISLATE.**

Rep. James Coffey for Municipal and County Government. Current statutes provide for tax considerations for educational institutions using property that is normally taxable. Assessing standards provide for these situations and are handled locally without state intervention. This bill would expand the tax exemptions provided to charter schools and other similar facilities to include any property used for educational purposes. However, the word educational can be interpreted in many ways and could include facilities that educate but are not in use for schooling like K-12 or community colleges, etc. The brush is much too broad and the committee felt its intent should be left to the community. Vote 15-0.

HB 1585-FN, relative to competitive bidding in Carroll county. INEXPEDIENT TO LEGISLATE. Rep. Franklin Sterling for Municipal and County Government. The intent of this bill is to place into statute language similar to RSA 28:8-e that mandates the competitive bidding process to be followed in Hillsborough County. The committee heard testimony from the prime sponsor as to why Carroll County's bidding process needs to be codified in a similar manner. The committee also heard from the Carroll County Administrator acknowledging that errors may have been made in the past but as he was newly appointed he asked that before the legislature took the step of passing this bill that he, the county commissioners and the county delegation work toward a policy of their own. The committee agreed and therefore recommends Inexpedient to Legislate. Vote 16-0.

HB 1587, relative to limitations on capital reserve funds of counties. OUGHT TO PASS.

Rep. Franklin Sterling for Municipal and County Government. The intent of this bill is to raise the amount of funding that counties can place in capital reserve funds. Currently the cap on capital reserve funds is 1/100 of 1% of the last base valuation. This bill raises that to 1/50 of 1% of the last base valuation. The committee felt this increase was in keeping with inflation. Vote 12-3.

HB 1683-FN-L, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. INEXPEDIENT TO LEGISLATE.

Rep. James Belanger for Municipal and County Government. This bill attempts to lower the interest charged on payments in the redemption or repurchase of property subject to a tax lien or tax deed. There have been times, in prior economies, when taxpayers earned more money on investments than was charged for late payments of tax bills. This resulted in communities supporting investments of taxpayers

by delaying tax payments. Other bills, in prior years, attempted to reduce the interest rate charged on late tax payments and all of those failed. The seemingly high rate of interest is meant to be a deterrent to not paying taxes and should not be reduced. After three years, the municipality has the option of taking a deed on the property and, at that time, the interest rate increases, again as a deterrent to not paying taxes when due. The second part of the bill attempts to remove the fifteen percent penalty added to the cost to repurchase the tax-deeded property. The committee felt this had some merit but was informed that there is another bill that addresses this issue and it does not need to be in this bill. The committee felt that the best course of action to leave interest rates as they are and to address the fifteen percent repurchase issue in the other bill could be best accomplished by a recommendation of Inexpedient to Legislate on this bill and allow the penalty section to be addressed by the other bill. Vote 16-0.

HB 1200-L, relative to the use of recycled glass. INEXPEDIENT TO LEGISLATE.

Rep. Martin Jack for Public Works and Highways. This very well intentioned bill attempts to increase the market for recycled glass in paving materials. Allowable state road and bridge construction materials are detailed in NH Department of Transportation specifications that are harmonized with the national engineering standards for highway construction materials. Testing and field experience ensures that approved materials are safe, strong, and durable in their intended usages. These standards already allow for use of recycled glass where appropriate. For these reasons, the bill is unnecessary. Vote 18-0.

HB 1242, relative to rules of the department of transportation on driveway permits. REFER FOR INTERIM STUDY.

Rep. Mark McConkey for Public Works and Highways. Presently the Department of Transportation is exempt from rule making for driveway permits. The sponsor proposes to change RSA 236:13 to require DOT to go through the rule making process to adopt rules for driveway permits. While testimony spoke of a restrictive permit process, DOT testified that 98.6% of driveway permits are approved. DOT also highlighted that they have changed the appeal process so that all local district denials are now reviewed in Concord. The committee was indifferent on the rulemaking change, but agreed that the appeal process should be more clearly defined in the driveway permit application, and has tasked DOT to make these changes in the appeal notification process. If substantial changes are not made by the department, a new bill can be filed next session. Interim study will allow the committee to work on a better process with the department. Vote 14-0.

HB 1317, renaming the North Hampton state beach as the Robert Shaw Memorial state beach. INEXPEDIENT TO LEGISLATE.

Rep. Mark McConkey for Public Works and Highways. United States Marine Corps Rifleman PFC Robert Ernest Shaw was the only North Hampton resident that died during the Vietnam War. Testimony revealed that PFC Shaw is presently memorialized in North Hampton on town property that was renamed the "Shaw Common." While it is the practice of the Public Works and Highways Committee to consider renaming state highways and bridges to honor fallen veterans, the renaming of state parks or state beaches has not happened previously and the committee is concerned with the precedent as it is more involved than just changing the name – maps, brochures and a number of other official documents would need to be changed and would, or at a minimum could, lead to confusion amongst the public. The committee applauds the students who took on this project and urges them to work on improvements and recognition of the current memorial at the Shaw Common in North Hampton. Vote 14-0.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial. OUGHT TO PASS.

Rep. Virginia Irwin for Public Works and Highways. Hannah Duston was the first woman in United States history to have a monument erected in her name. In fact, there are two monuments, one of which is in Boscawen, NH. It is in a questionable location and in need of attention. There is joint ownership by the state and the town and the location is also a railroad right of way. We need to study improvements to this site and make appropriate recommendations for future preservation, considering all aspects of her story. Vote 18-0.

HB 1578, relative to the maintenance of private roads. INEXPEDIENT TO LEGISLATE.

Rep. Mark McConkey for Public Works and Highways. This bill was introduced in response to a change in criteria used by Fannie Mae for financing of homes on private roads. The effect of the change has impacted the ability of some buyers to obtain financing, and the committee received

testimony that it has impacted sale prices. A number of interested parties attempted to find a solution without creating additional responsibilities for private road maintenance on existing landowners. Unfortunately, language to address the problem was not developed but interested parties have agreed to continue to work toward a solution outside of the legislative process in hopes of introducing legislation in a subsequent session. The committee agreed to find the bill inexpedient to legislate at the suggestion of those who had an interest in the bill based on their commitment to continue to work toward a compromise. Vote 17-0.

HB 1147, requiring a report on federal landholdings within the state and establishing a moratorium on federal land acquisitions. OUGHT TO PASS WITH AMENDMENT.

Rep. Carol McGuire for Resources, Recreation and Development. This bill, as amended, requires an annual report by the Department of Resources and Economic Development (DRED) on federal landholding in the state and every town. Recently, the US Fish and Wildlife Service announced their intention to expand the Silvio O. Conte National Fish and Wildlife Refuge to a large part of the Connecticut River watershed, so that the sponsors were concerned that these possible acquisitions would violate existing limits on federal landholding of 2% of the area of the state and 5% of the assessed value of any town, excluding the White Mountain National Forest. This limit, imposed by state law (RSA 121:6), is not widely known. A preliminary report from DRED showed that the actual percentage was 0.7%, but if the Silvio O. Conte Refuge and the proposed Great Thicket Refuge both reach the maximum contemplated, it will exceed 2%. Since land acquisitions are a slow process, the committee believed an annual report would be sufficient. Vote 19-0.

Amendment (0472h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring a report on federal landholdings within the state.

Amend the bill by replacing all after the enacting clause with the following:

- 1 New Section; Report on Federal Landholdings. Amend RSA 121 by inserting after section 6 the following new section:
- 121:6-a Report on Federal Landholdings. The commissioner of the department of resources and economic development shall annually prepare and file a report on the current inventory of federal landholdings within the state and calculate what percentage of New Hampshire land is held by the federal government in accordance with RSA 121:6. Such report shall be filed with the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1.
- 2 Initial Report. The commissioner of the department of resources and economic development shall make the first report required in RSA 121:6-a within 30 days of the effective date of this section.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of the department of resources and economic development to make an annual report on federal landholdings within the state.

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park. OUGHT TO PASS.

Rep. Yvonne Thomas for Resources, Recreation and Development. This bill would allow the Department of Resources and Economic Development (DRED) to continue to offer specialty trails for 4 x 4 off road vehicles at Jericho Mountain State Park. In 2013, HB 349 was passed which provided DRED with a three-year opportunity to develop new recreational trails for such purposes. The trails opened this spring and have proven to be a successful venture. Formal authority to continue use of the trails expired on January first and this bill would reinstate that authority. Vote 20-0.

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain. **OUGHT TO PASS.**

Rep. Suzanne Gottling for Resources, Recreation and Development. A FY 2014 audit of Cannon Mountain operations resulted in several findings that require statutory changes. This bill implements the changes outlined in audit observation 25. These changes included removal of the position of Marketing and Ski Service Administrator, updated referrals to other statutes, removed references to Mount Sunapee, specified uniform reporting dates, changed the package plan description and

authority so it accurately describes present practices, gives authority to the manager to grant special passes, and specifies the responsibilities of the Park Director and the Cannon Mountain Advisory Commission in relation to capital improvements. Vote 20-0.

HB 1299, relative to the frequency of background checks for camp employees. INEXPEDIENT TO LEGISLATE.

Rep. Suzanne Smith for Resources, Recreation and Development. This bill would amend RSA 485-A:24 and loosen the requirement for annual criminal background checks for employees and volunteers who may be left alone with children at youth skill camps. Presently, criminal background checks are required annually. This bill would amend the law so that criminal background checks on these employees or volunteers would only be required every three years. Although the committee understands the desire to save municipalities and public/private entities the annual fee for the criminal background checks, the committee also believes that the safety of our children and grandchildren trumps the annual fee. Vote 20-0.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee. OUGHT TO PASS WITH AMENDMENT.

Rep. Judith Spang for Resources, Recreation and Development. When wetlands will be impacted by a land development project, state and federal regulations require mitigation to be performed, whether by improvement of a wetland or through wetland conservation either on the same property or elsewhere. Particularly on a small property, it is not always possible for the developer to do meaningful mitigation. Alternative sites may not be available. Therefore, the Aquatic Resource Mitigation program was developed to allow developers to take the money they would have spent on their own mitigation project and place it in a large state fund. When funds are sufficient, a site selection committee evaluates potential wetland projects and disperses funds to them. This bill adds to that committee a member who is expert in stream restoration work for projects involving stream rehabilitation. The amendment just changes the name of the organization that will nominate that person. Vote 18-0.

Amendment (0734h)

Amend RSA 482-A:32, I(e)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) A person with experience in stream restoration work, who shall be nominated jointly by the Northeast Region of American Rivers and the New Hampshire Rivers Council.

HB 1461, relative to the definition of and criteria for protection instream flow. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. Prior to the implementation of the protected instream flow component of the Rivers Management and Protection Program, pilot studies on the Lamprey and Souhegan rivers were conducted. As a result, the amended bill makes changes to the statute which will support full implementation of instream flow protection on all designated rivers. The language modifications include a definition of instream flow that incorporates current scientific knowledge, as well as additional requirements for local, broad-based stakeholder input before and during the development of protected instream flows and water management plans. Vote 19-0.

Amendment (0456h)

Amend RSA 483:9-c, II as inserted by section 6 of the bill by replacing it with the following:

II. No less than 60 days prior to commencing a protected instream flow study on any designated river, the department shall hold a public hearing jointly with the senate committee with jurisdiction over river management issues and the house committee with jurisdiction over river management issues and provide a public comment period of 30 days. The department shall consider the public comments received before commencing the study.

Amend RSA 483:9-c, VII as inserted by section 6 of the bill by replacing it with the following:

[V:] VII. [The maintenance of protected instream flows shall constitute a condition of any permit] Only those permits issued by the department that affect stream flow [for any project or activity] within a designated river shall be required to meet protected instream flows [or segment and corridor].

AMENDED ANALYSIS

This bill revises the definition of protected instream flow.

HB 1589-FN, prohibiting the transportation of exotic aquatic weeds. OUGHT TO PASS WITH AMENDMENT.

Rep. Frederick Rice for Resources, Recreation and Development. Invasive exotic aquatic plants have a substantial negative impact on the water bodies in which they occur. This bill, as amended, is designed to curb the spread of such plants by prohibiting the transport of such plants from one water body to another and requiring that all boats, vehicles and equipment be cleaned of attached plant material and drained of water according to specified procedures when exiting any water body. Vote 20-0.

Amendment (0488h)

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting the transport of aquatic plants and aquatic weeds.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose; Clean Lakes Program. Amend RSA 487:15 to read as follows:

- 487:15 Purpose. The general court recognizes that rapidly escalating pressures of shorefront development and recreational uses of public waters have placed increasing strains upon the state's lake resources, thereby accelerating the eutrophication process in many of our public lakes through nuisance growths of aquatic macrophytes (aquatic plants) [macrophyton] and phytoplankton (algae) and thus posing a threat to water quality. The general court further recognizes that transporting boats from one water body to another increases the risk of inadvertent transport of aquatic nuisance species, some of which are invisible to the unaided eye. This risk can be reduced by inspecting and draining all boats and water-related equipment upon leaving state waters. The general court further recognizes the need to restore, preserve and maintain the state's lakes and ponds in order that these significant environmental, aesthetic and recreational assets will continue to benefit the social and economic well-being of the state's citizens.
- 2 New Paragraph; New Definition; Aquatic Plants. Amend RSA 487:16 by inserting after paragraph IV the following new paragraph:
- V. "Aquatic plants" means plants that are adapted to live in freshwater aquatic environments, also referred to as aquatic macrophytes.
 - 3 Exotic Aquatic Weed Penalties. Amend RSA 487:16-b to read as follows:
- 487:16-b Exotic Aquatic Weed Penalties. It shall be unlawful to [knowingly, recklessly, or purposely] offer for sale, distribute, sell, import, purchase, propagate, *transport*, or introduce exotic aquatic weeds into New Hampshire waterbodies. Notwithstanding RSA 487:7, any person engaging in such an activity shall be guilty of a violation.
- 4 New Sections; Aquatic Plants or Exotic Aquatic Weeds; Requirements for Draining Water Conveyances. Amend RSA 487 by inserting after section 16-b the following new sections:
- 487:16-c Transport of Aquatic Plants or Exotic Aquatic Weeds On Outside of Boats, Vehicles, and Equipment. No person shall transport any aquatic plants or plant parts or exotic aquatic weed or weed parts to or from any New Hampshire waters on the outside of a vehicle, boat, ski craft as defined in RSA 270:73, trailer, or other equipment.
 - 487:16-d Draining of Water Conveyances.
- I. When leaving waters of the state, a person shall drain their boat and other water-related equipment that holds water, including live wells and bilges.
- II. Drain plugs, bailers, valves, or other devices used to control the draining of water from ballast tanks, bilges, and live wells shall be removed or opened while transporting boats and other water-related equipment, if the vessel is so equipped.
- III. Commercial enterprises transporting boats for off-site storage, maintenance, or repairs, and emergency response vehicles and their related equipment are exempted from paragraphs I and II, however all such exempt commercial enterprises shall drain all water-related equipment holding water and live wells and bilges prior to transporting the equipment to another waterbody.
- 487:16-e Penalties. Notwithstanding RSA 487:7, any person who violates RSA 487:16-c through 487:16-d shall be guilty of a violation punishable by a fine of \$50 for a first offense and \$250 for any subsequent offense. The authority to enforce these sections shall extend to all peace officers in the state of New Hampshire.
 - 5 Enforcement Powers Conferred. Amend RSA 270:12-a, I(e)-(f) to read as follows:
- (e) Any crime or offense, excluding a violation of title XVIII or a violation of title XXI not involving a boat or watercraft, that occurs on an island or on the mainland contiguous to inland or coastal bodies of water in the absence of any law enforcement agency with jurisdiction immediately available when immediate action is required; [and]

- (f) Any crime or offense when requested to render assistance to another peace officer having jurisdiction in the area[-]; and
- (g) The provisions of RSA 487:16-c and RSA 487:16-d, relative to the transport of aquatic plants or plant parts or exotic aquatic weeds or weed parts on the outside of boats, vehicles, and equipment, and the draining of water conveyances.

6 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill prohibits the transport of aquatic plants and exotic aquatic weeds.

HB 1595-FN, relative to the rivers management and protection program. OUGHT TO PASS WITH AMENDMENT.

Rep. James McConnell for Resources, Recreation and Development. The Rivers Management and Protection Program (RMPP) was instituted in 1988 to provide for enhanced protection for certain rivers or watersheds which are documented as having outstanding characteristics. It is a ground-up program, with local citizens and groups nominating their river for designation into the program by the legislature, then taking an ongoing role in monitoring and promoting protection of the river's resources. In the intervening years, it has become apparent that refinements needed to be made in the statute's terminology as well as the composition and role of the local river management advisory committees. This bill, which emanated from the State Rivers Management Advisory Committee, makes those changes. It also makes it more apparent that designation of a river into the program means that the whole designated river, not just the most substantial parts of the stream, will be subject to the Comprehensive Shoreland Water Quality Protection Act. At the same time, it reduces the extent to which the Shoreland Act applies to smaller streams in the designated area. The amendment requires that shoreland property owners be notified when their river is being considered for designation into the RMPP. Notification of the State Rivers Coordinator and local advisory committees will no longer be required for minimum impact activities for timbering, recreational path maintenance, and agriculture. Only streams running year-round are eligible for inclusion. With these changes, the bill has the support of participating conservationists, agriculture and timber interests, and landowner rights advocates. Vote 17-0.

Amendment (0782h)

Amend the bill by replacing section 5 with the following:

5 New Paragraph; New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483:4 by inserting after paragraph XII the following new paragraph:

XII-a. "Meander belt" means the width on either side of a river channel which the river can occupy through time as a result of migration.

Amend RSA 483:6, I as inserted by section 9 of the bill by replacing it with the following:

I. Any New Hampshire organization or resident may nominate a perennial river or any segment or segments of such river for protection by submitting to the commissioner a description of the river or segment or segments of such river and its values and characteristics. The completed nomination shall be submitted to the rivers coordinator on or before June 1 in order for it to be considered in the next legislative session. This nomination shall include, but not be limited to, an assessment of fisheries; geologic and hydrologic features; vegetation; wildlife; historical and archaeological features; open space and recreation features and potential; water quality and quantity; dams, hydropower generation, buildings, and other manmade structures; riparian interests and public water supply, including flowage rights known by the nominating individual or group, and other pertinent instream and riverbank and tributary drainage area information. The nominating party shall hold at least one public meeting on the information prior to final submittal to the commissioner. The department shall encourage the nominating party to include tributary drainage area information in the nomination. Nominations shall include identification of the stream order of each river or river segment proposed for designation and the provisions of RSA 483-B that apply to each segment. The nominating party shall advertise the meeting publicly in cooperation with the rivers coordinator and shall give written notice to riparian landowners and the governing body of any municipality where segments of the river are located. The rivers coordinator shall provide assistance to the nominating party in the presentation of the nomination at the public meeting.

Amend RSA 483:8, I(g) as inserted by section 14 of the bill by replacing it with the following:

- (g) A representative of the conservation community [ehosen from a list of 3 nominees submitted] nominated by the Society for Protection of New Hampshire Forests, the Audubon Society of New Hampshire, and the New Hampshire [Wildlife Federation] Council of Trout Unlimited. Amend RSA 483:8-a, III(b) as inserted by section 17 of the bill by replacing it with the following:
- (b) To consider and comment on any federal, state, or local governmental plans to approve, license, fund, or construct facilities or applications for permits, certificates, or licenses, that [would] may alter the resource values and characteristics for which the river or segment is designated. Amend RSA 483:10, II (j) as inserted by section 31 of the bill by replacing it with the following:
- (j) State-owned lands within the corridor and tributary drainage areas thereof. The plan shall include a description of the importance of those lands to the characteristics for which the river was designated.

Amend RSA 483:12-a, I as inserted by section 33 of the bill by replacing it with the following:

- I. Any state agency considering any action affecting any river or segment designated under this chapter shall notify the rivers coordinator and the local river management advisory committee prior to taking any such action. Such agency shall forward to the rivers coordinator and the local river management advisory committee for review and comment copies of all notices of public hearings, or, where a public hearing is not required, a copy of the application for issuance of a permit, certificate, or license within the designated river or corridor under RSA 485-C, RSA 485-A, RSA 483-B, RSA 12-E, RSA 270:12, RSA 482, RSA 482-A, except notifications for minimum impact activities under RSA 482-A:3, V and XII and for routine roadway maintenance under RSA 482-A:3, XVI on land used for agricultural purposes, RSA 149-M, RSA 430, or RSA 147-A. If an agency is notified by the rivers coordinator that a proposed activity would violate a protection measure under RSA 483:9-a, 483:9-a, or 483:9-b, such agency shall deny the application. Amend the bill by replacing all after section 35 with the following:
- 36 New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483:4, VIII to read as follows:
- VIII. "Designated river" means that portion of a *perennial* river which has been specifically designated by the general court pursuant to RSA 483:15.
- 37 New Hampshire Rivers Management and Protection Program; Definitions. Amend RSA 483-B:4, XV to read as follows:
- XV. "Protected shore land" means, for natural, fresh water bodies without artificial impoundments, for artificially impounded fresh water bodies, except private garden water features and ponds of less than 10 acres, and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters. For river segments of third order or lower designated as protected under RSA 483:15 which are either designated after or for which specific exemptions are repealed after December 31, 2015, "protected shore land" means all land located within 50 feet of the reference line of public water.
 - 38 Repeal. The following are repealed:
 - I. RSA 483:10-a, relative to long-range river management plans.
 - II. RSA 483:14, II, relative to state owned property included in a long-range river management plan. 39 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

- I. Adds definitions for aquatic connectivity, fluvial geomorphology, and meander belt.
- II. Expands the criteria for nomination of a river to the rivers management and protection program. III. Changes the mechanism by which members of the rivers management advisory committee are selected.

HB 1155, relative to providing choice of meters to customers of utilities. INEXPEDIENT TO LEGISLATE.

Rep. Douglas Thomas for Science, Technology and Energy. This bill would permit customers of utilities to choose whether to consent to the installation of smart meters and allow the utility to charge a surcharge to such customers at the completion of the installation period. This bill would produce confusion among customers as not all smart meters transmit using radio waves (the concern of some), but rather use the existing electric lines serving the customers' property, and it would only potentially benefit a few customers that have old meters. Affected utilities are currently working with customers who have concerns, so the committee felt this bill was not ready or needed. Vote 20-0.

HB 1275, relative to net energy metering capacity. INEXPEDIENT TO LEGISLATE.

Rep. John Mann for Science, Technology and Energy. This bill is unnecessary as its content and purpose are contained within HB 1116 which the committee is bringing forward with a positive recommendation. Vote 20-0.

HB 1362, requiring telephone notice where an electrical outage is expected to exceed 4 hours. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for Science, Technology and Energy. Requiring telephone notice to customers when an electrical outage is expected to exceed four hours is not an appropriate standard or practical means of notice in all situations, nor does it encompass the systematic approach needed to inform customers about outages and emergencies. Utilities already have plans in place to accomplish this which may include, depending on the circumstances, the use of various media outlets, phone call notifications, and communications with state and local authorities. In addition, utilities are working on making further improvements to take advantage of changes in technology and how people communicate. Vote 20-0.

HB 1367, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Backus for Science, Technology and Energy. This bill would have waived any limitations under the Limited Electrical Energy Producers Act, RSA 362-A, regarding targeted net energy metering or to implement measures designed to increase grid reliability, efficiency, cost effectiveness, or overall resiliency of the electrical grid. Since the Public Utilities Commission currently has an open and active docket on grid modernization, the committee deemed this bill unnecessary. Vote 20-0.

HB 1472, relative to the siting of certain new pipelines and storage vessels. INEXPEDIENT TO LEGISLATE.

Rep. Glen Aldrich for Science, Technology and Energy. This bill would make it more difficult for gas transmission lines to be put in place. There was no testimony of any problems with gas transmission lines being damaged by frost heaves. Considering both the standard way they are buried with substantial overburden and the heat generated from the gas being compressed, there seems to be no issues of failure due to freezing. Therefore, the majority felt this bill unnecessary. Vote 17-1.

HB 1483, relative to community renewable energy. INEXPEDIENT TO LEGISLATE.

Rep. James Parison for Science, Technology and Energy. This bill would require electric utilities to sort out individual usage in a collective generation community (group net metering) and then bill each user separately. While this convenience may be a reasonable ask, the bill would also provide for reduced utility tariffs and create a targeted local tax exemption that would allow taking money from ratepayers and average town taxpayers and redistributing these funds to a list of special interests and projects the bill sponsors seem to think deserving. Since the local cash award decisions could be made by any two selectmen, the committee felt this bill if enacted would lead to favoritism and the corruption of an otherwise fair tax system. Vote 20-0.

HB 1502, establishing a committee to study odor emissions from landfills. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. After hearing testimony on the bill, it appears that the annual testing already being done at landfills shows that odors are well within the limits set by the state. Even though many complaints have been filed, it seems that only a couple of property owners downwind of the landfill made a majority of the complaints. While the committee understands the frustration of the property owners, the committee feels that studying this further will not solve the problem of being downwind of a landfill. Vote 20-1.

HB 1449-FN, relative to additional temporary supplemental allowances for retired members of the retirement system. **REFER FOR INTERIM STUDY.**

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. The committee was unanimous in recommending this bill be Referred for Interim Study. The committee agreed that there are retired persons in the system that could benefit from a temporary supplemental allowance (TSA). The committee wants more time to consider the amount of the TSA, who would qualify, the funding mechanism, and the total amount to be appropriated. The committee also believed that any appropriations to fund a TSA should follow standard legislative procedure and be referred to the Finance Committee as a second committee if the House votes to adopt the underlying policy. Vote 10-0.

HB 1489, establishing a committee to study the rates of employer contributions in the retirement system. INEXPEDIENT TO LEGISLATE.

Rep. Gary Azarian for Special Committee on Public Employee Pension Plans. Establishing a committee to study the rates of employer contributions to the NH retirement system is not necessary. The information that this committee would gather is readily available now from the NHRS and legislating yet another study committee is not needed. Vote 9-0.

CACR 24, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. This amendment would do away with most of the motor vehicle laws. The committee does not support cancelling the requirements of licensing and registering trucks and automobiles, which would cost the state over \$93 million in lost revenue. Vote 18-0.

HB 1102, relative to travel on ways with 3 or more lanes. INEXPEDIENT TO LEGISLATE. Rep. Thomas Walsh for Transportation. This bill attempts to exclude commercial vehicles from traveling in the extreme lane on certain highways with three or more lanes. There are unanswered questions about open road tolling areas and additional signage costs, among others. No amendments were offered to address the issues. Vote 17-0.

HB 1131, relative to vehicles formerly used as ambulances. INEXPEDIENT TO LEGISLATE. Rep. Karel Crawford for Transportation. This committee passed HB 196 (Ch. 63, Laws of 2015, RSA 266:78-r) last session which says a vehicle formerly used as an ambulance must have identifying features removed such as red forward and side emergency lights, etc. The majority of the committee agreed to let the law have time to work. Vote 14-3.

HB 1151, relative to after market tinting on side windows. INEXPEDIENT TO LEGISLATE. Rep. Werner Horn for Transportation. This bill seeks to allow tinting on side windows. Legislation to allow this, in the form of HB 1445, has already been recommended by this committee, making this bill unnecessary. Vote 17-0.

HB 1156, relative to interference with traffic devices. OUGHT TO PASS WITH AMENDMENT. Rep. Thomas Walsh for Transportation. This bill adds public transit bus operators to the list of exemptions from RSA 265:15, II(c) which prohibits using a device to change traffic signals. The amendment added a reference in subparagraph (d) as well. Repealing this prohibition allows stakeholders to study a system that could eventually be considered for future legislation and municipal approval. The bill and amendment do not create or even authorize implementation of such a system at this time. Vote 16-0.

Amendment (0523h)

Amend RSA 265:15, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) The exemptions set forth in subparagraphs (c)(1)-[(c)(4)] (c)(5) shall only apply to such personnel when they are operating licensed ambulances, licensed fire apparatus, [or] government-owned vehicles, or fixed route public transit buses.

HB 1157, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. RSA 265:79-c limits driving while using a mobile electronic device. Testimony by state police indicated that three years is an appropriate length of time to evaluate the impact on driver behavior. With RSA 265:79-c having only been implemented since July 2015, bills that modify the law without proper time to evaluate the impact on driver behavior hinder the effect of these laws. Vote 15-2.

HB 1158, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. RSA 265:79-c limits driving while using a mobile electronic device. Testimony by state police indicated that three years is an appropriate length of time to evaluate the impact on driver behavior. With RSA 265:79-c having only been implemented since July 2015, bills that modify the law without proper time to evaluate the impact on driver behavior hinder the effect of these laws. Vote 15-2.

HB 1161, relative to the traffic safety commission. OUGHT TO PASS WITH AMENDMENT. Rep. Karel Crawford for Transportation. This bill reorganizes the Traffic Safety Commission and was requested by the Department of Safety. No one testified against this bill. The amendment changed the word "chairman" to "representative" and American Association of Retired Persons to "AARP." Vote 17-0.

Amendment (0649h)

Amend RSA 238:10, I(a) as inserted by section 1 of the bill by replacing it with the following:

- (a) Representatives of the following organizations nominated by their respective organizations and appointed by the commissioner of the department of safety. Initial appointments shall be: 4 members for one year, 5 members for 2 years, and 5 members for 3 years. After the initial term, members shall each serve for terms of 3 years and until a successor is duly qualified and recommended by their respective organizations. Vacancies shall be filled for the unexpired terms in the same manner as the original appointment.
 - (1) One member of the New Hampshire Association of Chiefs of Police.
 - (2) One member of the New Hampshire Sheriffs Association.
 - (3) One county attorney representing the New Hampshire Association of Counties.
 - (4) The executive director of the New Hampshire Municipal Association.
 - (5) One representative of the New Hampshire Automobile Dealers Association.
 - (6) One representative of the New Hampshire Motor Transport Association.
 - (7) One representative of the New Hampshire School Transportation Association.
 - (8) One representative of the American Automobile Association of Northern New England. (9) One representative of the New Hampshire branch of AARP.
 - (10) One representative of the New Hampshire Driver Education Teachers Association.
 - (11) One representative of the New Hampshire Hospital Association.
 - (12) One representative of the New Hampshire Association of Fire Chiefs.
 - (13) One representative of the Granite State Wheelmen.
 - (14) One representative of the Associated General Contractors of New Hampshire.

HB 1162, relative to eligibility for utility dealer registration. INEXPEDIENT TO LEGISLATE. Rep. Steven Smith for Transportation. This bill was well intended, but the stakeholders were unable to reach a consensus regarding collecting the fees from independent registration agents. Vote 18-0.

HB 1186, repealing the law prohibiting coasting of vehicles. OUGHT TO PASS WITH AMEND-MENT.

Rep. Alan Cohen for Transportation. This law is unobservable by law enforcement and therefore unenforceable. It should be removed from the statutes. The amendment changes the effective date to date of bill passage. Vote 16-2.

Amendment (0753h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

HB 1271, making certain length and width exemptions concerning commercial vehicles. OUGHT TO PASS.

Rep. Larry Gagne for Transportation. This bill will establish additional length and width exemptions for commercial vehicles which will create parity between New Hampshire and neighboring states regarding commercial vehicle exceptions. Consistency among the states will help companies and others engaged in transportation to more efficiently and safely move goods between the states. This bill was requested by the Department of Safety. Vote 16-0.

HB 1302, relative to driver's license requirements for operation of a mixed use school bus. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. This bill requires the operator of a commercial vehicle to hold a valid commercial driver's license. An operator of a mixed use school bus that qualifies as a commercial motor vehicle as defined in RSA 259:12-e shall hold a valid commercial driver's license pursuant to RSA 263:86 appropriate for the type and class of mixed use school vehicle being driven. This could be a coach or a choral director. Federal law requires a CDL when there are 15 or more passengers. The vehicle must be owned by the school or institution. Non-profit schools (i.e., charter) are exempt; they have different rules. This bill is supported by the Department of Safety. Vote 15-1.

HB 1308, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. INEXPEDIENT TO LEGISLATE.

Rep. Alan Cohen for Transportation. This bill allows motorcycles to pass vehicles in the same lane. This bill would also allow three-wheeled motorcycles to cut through slow traffic and create a huge logiam at red lights. The committee believes that this bill creates safety issues for motorcyclists and other drivers, and ignores the need to update right of way statutes. Vote 19-0.

HB 1347, establishing a committee to study sharing the road with bicycles and motorcycles. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Chirichiello for Transportation. This is a study bill in the second half of the session. While this topic may have merit, it would be best to bring this bill up in the new session which would provide a better chance for the committee to produce legislation. The committee also felt that the charge contained in the bill was too broad, and that the proposed study committee would lack focus. Vote 18-1.

HB 1396, relative to OHRV operation on certain highways in Grafton County. OUGHT TO PASS. Rep. George Sykes for Transportation. This bill will extend the allowable practice of OHRV operation on highways, if designated by the Department of Resources and Economic Development Bureau of Trails, and approved by the Department of Transportation, from just Coos County to also include Grafton County. This bill will help drive further economic activity in Grafton County. No highways will be approved as trail connectors without first following the procedures established in current statute. Vote 17-0.

HB 1405, repealing the prohibition on after market tinted glass in motor vehicles. INEXPEDIENT TO LEGISLATE.

Rep. Karel Crawford for Transportation. This bill is one of three bills that repeal the prohibition on market-tinted glass in a motor vehicle. This committee passed a similar bill, HB 1445, that permits tinting at 35%. This is essentially a duplicate. Vote 17-0.

HB 1421-FN, relative to exemptions from certificate of title for a vehicle. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. This bill seeks to reverse a law that has been in effect for just over a year. Starting in January 2015, titles are required on all vehicles from year 2000 and up. Proof of ownership, ability to get loans and safely being able to scrap old cars are just a few reasons this change had such wide support. The committee didn't hear any compelling reasons for changing the title requirement back to vehicles 15 years old. People who may lose or buy a vehicle with a missing title have a means through DMV to get it re-titled. Vote 18-0.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. In the 1980s a bill was passed that gave New Hampshire car registrations, free of charge, to members of the State Department, US Senators, and White House staff. The committee believes that these people can afford to register their cars. This bill adds those people to the cover plate statute. Like New Hampshire State Representatives, they can register their own cars and pay \$9 for cover plates. Vote 15-1.

HB 1462, relative to the height of a motor vehicle body and chassis. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. This bill seeks to eliminate the minimum bumper height on motor vehicles. There was no testimony in favor. Car customizers have pneumatic and hydraulic options available to lower their cars for shows, while still complying with road regulations. Vote 17-1.

HB 1469, relative to the restriction of drivers' licenses for nonpayment of child support. INEX-PEDIENT TO LEGISLATE.

Rep. Russell Dumais for Transportation. The Department of Motor Vehicles, the Department of Health and Human Services and New Hampshire Legal Assistance all opposed the bill. No one testified in support of the bill. Vote 19-0.

HB 1649-FN, relative to state inspection of new motor vehicles. INEXPEDIENT TO LEGISLATE. Rep. Thomas Walsh for Transportation. This bill would eliminate safety inspection requirements for cars under three years old. The bill makes no provision for OBD inspections necessary for compliance with the Clean Air Act. Further, illegal modifications to a new vehicle would not be discovered until an expensive violation ticket was written. Vote 17-1.

HB 1101, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. **REFER FOR INTERIM STUDY.**

Rep. Richard Ames for Ways and Means. The New Hampshire Public Utilities Commission (PUC) is currently considering whether to allow electric utilities (also known as Electric Distribution Companies or EDCs) to enter into long term contracts acquiring gas transportation capacity on new high pressure natural gas pipelines. Such contracts, if approved by the PUC, would help finance pipeline development costs. The development costs covered by such an approved contract would then be recovered through involuntary assessments on the electric utility's customers or ratepayers. The central legal issue is whether or not such capacity acquisitions by EDCs would violate the state's electric utility restructuring principles as set out in RSA 374-F, particularly the principle calling for the functional separation of generating services, which are to be subject to open market competition, from transmission and distribution services, which are to continue under state regulation. In a January 19, 2016 order, the PUC stated that no consensus exists regarding the potential legality of such an acquisition of gas capacity by a New Hampshire EDC and that it expected that such a capacity acquisition and the related cost recovery would be highly controversial. HB 1101, both as originally filed and as clarified and focused in an amendment considered by the committee, would resolve this legal dispute by simply prohibiting the imposition of all such charges on ratepayers. On February 18, 2016, Eversource filed a petition requesting the PUC's approval of a 20-year interstate pipeline capacity acquisition contract. Similar proposals have been presented for approval in neighboring states. In these circumstances, retention of HB 1101 for interim study will allow the committee time to monitor over the next six months all legal developments relating to these pipeline capacity acquisition contracts here in New Hampshire and in neighboring states. Also, during this time, the committee will be able to gain a better understanding of the likely impact of these pipeline developments on natural gas prices, electric utility pricing, and carbon emissions in New Hampshire. Whichever way the PUC comes out on the basic question of the legality or illegality of the pipeline acquisition contracts, a committee report in October 2016 on whether or not further legislation is needed will be based on far better information than is now available. Vote 21-0.

HB 1197, relative to conservation number plate funds. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. This bill was brought forth by the State Treasurer. It amends statutes related to the Land and Community Heritage Investment Program (LCHIP) to reflect that the State Treasurer has no involvement in the administration of this program as current statutes imply. The allocation of funds from the conservation fund plate is the responsibility of the Commissioner of Safety and not the State Treasurer. In addition, the establishment of the fund known as the Land and Community Heritage Investment Program Administrative Fund is the responsibility of the New Hampshire Land and Community Heritage Investment Authority and not the State Treasurer. The other major change is modifying any language referring to a trust fund to simply a fund, since these funds are not trust funds. There was no testimony in opposition to these changes. Vote 20-0.

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels. OUGHT TO PASS. Rep. Joseph Lachance for Ways and Means. This bill updated the law regarding special bingo games for children at a private campground or hotel. Specifically, any person over the age of 18 may play the game for the purpose of supervising the child or children he or she is with, however such adult shall not be eligible to win. The card such adult is playing shall be marked in such a way that the bingo attendant is able to identify it as not eligible to win under this paragraph. Vote 17-0.

HB 1208-FN, relative to administration of the tobacco tax. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. This bill makes technical and clarifying changes to RSA 78, Tobacco Tax laws, which include changing the definition of "premium cigar," adding needed definitions, removing references to "metering machines," and clarifying activities which constitute unauthorized sales of tobacco products. In addition this bill adds a requirement for records of tobacco stamps sold to wholesalers and tobacco products distributed, and provides for consumer reporting on Internet sales and out of state purchases and payment for same. The definition of "premium cigar" is amended to remove the dollar criterion of \$2.00 or more. This bill was previously passed by the House in 2015 (HB 550). Vote 20-0.

HB 1254-FN-L, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. INEXPEDIENT TO LEGISLATE.

Rep. Bill Ohm for Ways and Means. This bill would provide a 15-year exemption from business taxes to certain entities in several counties. The committee feels that selective tax exemptions are not good policy, and that other entities in other counties would be discriminated against, raising constitutional questions. Vote 19-0.

HB 1258-FN, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Jordan Ulery for Ways and Means. This bill attempted to create a carve-out from the Business Enterprise Tax and Business Profits Tax for new businesses in New Hampshire. The intent was to encourage new business openings in the Granite State. Unfortunately the wording was difficult in several areas. The constitutional mandate that taxes in New Hampshire be equitable and proportionate would have required creating a new class of taxable entity, a "new business." While the definition in the bill required a different North American Industry Classification System code for each enterprise, there was nothing to effectively prevent dissolution and reforming at the expiration of the exemption. Thus the definition of "new business" was not as complete as necessary. Also contained in the bill was wording that left to a bureaucracy the requirement of determining what "good citizenship" and contributing to the economy of New Hampshire entailed. The Department of Revenue Administration was also concerned about the administrative practices and costs of monitoring and evaluating the internship programs contained in the bill. In addition the illicit practice of creating a hiring preference for New Hampshire residents was included. Vote 19-0.

HB 1289, making technical corrections to certain tax laws. OUGHT TO PASS WITH AMENDMENT. Rep. Patrick Abrami for Ways and Means. This bill was brought forth by the Department of Revenue Administration (DRA). This bill makes nine technical corrections to a variety of statutes related to taxes. The committee heard testimony on each change and questioned the DRA on each before moving to the next. They did respond to all the committee's questions to its satisfaction. There was one small amendment to the original bill that clarified issues brought up during the public hearing. No one testified against these changes. None of these changes will have an impact in any way on state revenue going forward. Vote 20-0.

Amendment (0181h)

Amend the bill by replacing section 7 with the following:

7 New Paragraph; Nursing Facility Quality Assessment; Rulemaking. Amend RSA 84-C:9 by inserting after paragraph I the following new paragraph:

I-a. The commissioner may adopt rules, pursuant to RSA 541-A, relative to exceptions to the requirement of RSA 84-C:5, I that payment be made by electronic transfer in instances when a nursing facility is unable to remit payment to the state treasurer by electronic transfer.

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 13:

11 Reference; Multistate Tax Commission Audits. Amend RSA 21-J:3, XXXI to read as follows: XXXI. Have the authority, subject to appropriation, to contract with the Multistate Tax Commission for participation in audits performed by the Multistate Tax Commission on behalf of member states. While under contract with the state, the Multistate Tax Commission shall be an authorized agent of the commissioner for the purposes [RSA 21-J:14-e] of paragraph IX.

12 Real Estate Transfer Tax; Declaration of Consideration. Amend RSA 78-B:10, I(b) to read as follows:

(b) Contain a space immediately below the statement in subparagraph (a) for the dated [and witnessed] signature of the purchaser, grantee, assignee, or transferee of the deeded real estate on their respective declaration of consideration and for the dated [and witnessed] signature of the seller, grantor, assignor, or transferor of the deeded real estate on their respective declaration of consideration.

AMENDED ANALYSIS

This bill makes technical corrections regarding rulemaking authority and reporting and payment dates to certain tax laws. The bill removes a requirement for witnessed signatures on declaration of consideration reports under the real estate transfer tax. The bill repeals the law establishing the division of automated information systems.

This bill was requested by the department of revenue administration.

HB 1290, relative to filing dates for business taxes. OUGHT TO PASS WITH AMENDMENT. Rep. Don Leeman for Ways and Means. This bill was requested by the Department of Revenue Administration (DRA) and calls for a change of the due dates for filing returns for both the Business Profits Tax and the Business Enterprise Tax. The bill makes these changes so as to comply with the federal due dates for partnership and corporate tax returns. The bill also makes one technical correction, as was explained to Ways and Means by the DRA. The amendment resolves the issue of when the bill applies, starting with taxable periods after December 31, 2015. Vote 20-0.

Amendment (0149h)

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5: 4 Applicability. The provisions of this act shall apply to taxable periods beginning after December 31, 2015.

HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax. OUGHT TO PASS WITH AMENDMENT.

Rep. Patricia Lovejoy for Ways and Means. This bill corrects a flaw in our tax system. NH taxes partnerships, Sub Chapter S corporations and (Limited Liability Companies) LLC's differently than does the federal government and the vast majority of states. The federal government and most states treat all net income or loss from one of these entities as a pass through to the owner's personal tax returns. Since NH does not have a personal income tax, NH taxes the entity with both Business Enterprise Tax and Business Profit Taxes (BPT). When an interest in one of these types of organizations is sold for more than the owner's basis, NH imposes BPT on the PURCHASER not the SELLER for the difference between sales price and the seller's basis. In return the purchaser gets to record the assets purchased at their purchased price, not the previous owner's basis. This is referred to as a step-up in basis. The Business Tax Commission had identified this situation as a flaw that hurts NH's competitive basis, and significantly disadvantages small businesses, especially start-up businesses. This bill gives the purchaser the choice between not paying the tax and therefore not getting the step-up in basis or paying the tax and getting the step-up in basis. The amendment changes the default from paying the tax to not paying the tax if the taxpayer neglects to select an option on their tax return. This provides needed flexibility for NH businesses. Vote 20-1.

Amendment (0828h)

Amend the bill by replacing all after the enacting clause with the following:

1 Sale or Exchange of an Interest in a Business Organization. RSA 77-A:4, XIV is repealed and reenacted to read as follows:

XIV.(a) In the case of a business organization where an ownership interest in the business organization is sold or exchanged and the transaction, for federal income tax purposes results in an increase in the basis of the assets for one or more of the parties to the transaction, the business organization shall:

- (1) Add to the gross business profits of the business organization, for each taxable period, an amount equal to the annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and
- (2) Calculate the gain or loss on the sale or other disposition of an asset without regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.
- (b) A business organization may, for a particular sale or exchange, make an irrevocable election on a timely filed return including any extension period, to recognize the basis increase of the assets for one or more of the parties to the transaction for federal income tax purposes. Such business organization for the purposes of the business profits tax shall:
- (1) Be required to make an addition to gross business profits of the business organization equal to the net increase in the basis of all assets transferred or sold in the tax period in which the sale or exchange of the ownership interest occurs;
- (2) Be allowed a deduction against its gross business profits for annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and
- (3) Calculate the gain or loss on the sale or other disposition of an asset with regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.

- 2 Applicability. This act shall take effect for sales or exchanges of interests in business organizations that occur on and after January 1, 2016.
 - 3 Effective Date. This act shall take effect upon its passage.

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. OUGHT TO PASS.

Rep. Brian Gallagher for Ways and Means. This bill raises the limit on the price paid per bingo card at senior bingo. This bill also sets limits on payouts for senior bingo and bingo at private campgrounds and hotels. Testimony was received that every penny collected would go back to the players and that more people could play and avoid being turned away. The change in limit was noted as an adjustment due to inflation, the prize changes are permissive and not mandatory. Vote 17-0.

HB 1436-FN, relative to exemption from the yield tax on timber for clearing for solar energy. INEXPEDIENT TO LEGISLATE.

Rep. Susan Almy for Ways and Means. This bill emerged from the problem of a single constituent, but the current and prior chief assessor of the Department of Revenue Administration said current law is clear that no tax is due the town or state when the trees cut are near the house. As they explained, the "value on the stump" that triggers an intent to cut form and local Timber Tax is the amount that a third party would pay the landowner to be able to cut and remove a tree. Since small numbers of trees near houses cost more to cut and remove than they can be sold for, their value is negative, and no tax is levied. Vote 20-0.

HB 1488, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. **INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for Ways and Means. This bill proposed a study commission to review and make recommendations regarding statutes dealing with horse and dog racing and games of chance. No one testified in support of the bill, and the Lottery Commission is opposed, because Racing & Charitable Gaming is merging with the Lottery Commission, and this could be premature. The committee sees no need for this bill at this time. Vote 17-0.

HB 1498, repealing the prohibition on certain gambling. **INEXPEDIENT TO LEGISLATE.** Rep. Gary Azarian for Ways and Means. This bill seeks to repeal RSA 647:2 which, if enacted, would allow all forms of gambling in NH. The bill makes no provision for rules, rulemaking authority, regulation or oversight. If NH decides to expand gaming, this certainly would not be the model. The Attorney General also expressed opposition. Vote 17-0.

HB 1538-FN-A, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. This bill seeks to repeal the Business Profits Tax, Business Enterprise Tax and the Medicaid Enhancement Tax. It also reduces the rate of the Interest and Dividends Tax by implementing a Business Flat Tax. The bill also establishes a commission to recommend statutory changes for the implementation of this new tax structure. The legislation would nullify the exemption for schools and non-profits. Additionally, the bill would subject state departments and political subdivisions to the Business Flat Tax. Vote 19-0.

HB 1544-FN-A-L, establishing a tax on revenues from natural gas transmission. INEXPEDIENT TO LEGISLATE.

Rep. Brian Gallagher for Ways and Means. This bill establishes a tax on revenues received under contracts for natural gas transmission via in-state pipelines. No information could be provided on revenues which could potentially be subject to this tax. Pursuant to Federal Energy Regulatory Commission (FERC) regulations, any such tax would be considered an allowed cost of service item and thus recoverable in future rate structures over which FERC has jurisdiction. Strong opposition was expressed to this proposal from the Nashua Chamber of Commerce. Vote 21-0.

HB 1545-FN, relative to Lucky 7 tickets. REFER FOR INTERIM STUDY.

Rep. Bill Ohm for Ways and Means. This bill would authorize charitable gaming organizations to increase the denomination of Lucky 7 tickets from 50 cents to \$1, and permit electronic

dispensers of such tickets to only dispense a paper ticket on request. The committee feels that these electronic dispensers already look, feel and act like slot machines, and the proposed changes would only enhance the effect. While the committee heard testimony that such machines are legal, they believe that they are contrary to legislative intent. Approximately 350 of these machines are installed, none recently. Refer for Interim Study is recommended to review what, if anything should be done with this type of device. Vote 21-0.

HB 1554-FN, establishing a state sports lottery. INEXPEDIENT TO LEGISLATE.

Rep. Patrick Abrami for Ways and Means. This bill called for the introduction of sports lottery into the portfolio of New Hampshire Lottery games. Although there were members intrigued by the idea of having a lottery tied to actual athletic events, there were several major reasons that this was not felt to be a good idea at this time. There are only a few states with this type of lottery game in place with the most prominent being Delaware. There is ongoing major litigation that we would have the potential of being drawn into if this bill were to pass and be signed into law. It was felt that the timing of the filing of this bill was not good. Once other states have cleared the legal hurdles it would lead to a clearer path for New Hampshire to consider this type of lottery game on its merits. With this said the bill also needed work to make it acceptable to the committee. One major item was the bill called for the game to be tied to both professional and collegiate sporting events. There was no appetite on the committee to have this game tied to collegiate sporting events. Vote 19-0.

HB 1572-FN, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. **REFER FOR INTERIM STUDY**.

Rep. Gary Azarian for Ways and Means. This bill called for tax credits of up to \$2 million for broadband companies to provide Internet and broadband service in areas of the state where such service is unavailable. There is high site cost for construction to provide service in remote areas. The committee will study this issue to help better understand whether issuing credits is the best way to move forward in providing broadband and Internet service to these areas. Vote 21-0.

HB 1650, relative to limits in table stakes poker. REFER FOR INTERIM STUDY.

Rep. Patrick Abrami for Ways and Means. This bill attempts to correct language in a statute that was passed last term (HB 169, Chapter 160, Laws of 2015) related to how table stakes poker games shall be played at charitable gaming facilities across the state. This committee's Inexpedient to Legislate recommendation was overridden on the House floor last term. This statute led to an open-ended amount of money being bet at our charitable gaming establishments. Our charitable gaming facilities had crossed the line into the world of true casinos. To stem the tide, the Lottery Commission published a policy which took effect on September 25, 2015 which, in the short run, has stabilized how last year's statute was being interpreted. The committee attempted to use the commission's guidelines as a template for amending the underlying bill. It became clear that as the committee dug deeper into how the game of poker is played and the betting schemes that more time was required. The committee was comfortable with the Lottery Commission's policies in place and their policing of these policies that the initial crisis had passed and that there was time for the committee to take a more expansive examination of the whole issue. This resulted in a motion to Refer for Interim Study to examine all aspects of table stakes poker and how it should be played at our charitable gaming facilities. Vote 21-0.

HB 1656-FN, relative to exceptions to the real estate transfer tax. OUGHT TO PASS.

Rep. Gary Azarian for Ways and Means. This bill creates an exemption from the Real Estate Transfer Tax for transfers of like ownership. For example, if an individual or couple who own property wishes to transfer that property to an LLC or trust with like ownership for estate planning purposes. With this bill this type of transfer would be exempt from the Real Estate Transfer Tax. Vote 20-0.

HB 1689, relative to operator requirements under the meals and rooms tax. OUGHT TO PASS. Rep. Jordan Ulery for Ways and Means. This bill seeks to inventory taxable rental property to help the Department of Revenue Administration to identify units that would be subject to the Meals and Rooms Tax assessment. Each rental business already, as part of their business operations, maintains a list of rental properties. This bill merely creates a basis from where taxes are due. The committee felt that this requirement would not be burdensome to the industry. Vote 21-0.

REGULAR CALENDAR

CACR 17, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Griffin for the Majority of Election Law. For most of the history of our state, it was understood that a person had to be a resident of New Hampshire in order to vote here. However, in recent years, the law has been interpreted to permit people who are residents of other states to vote in our elections if they claim they are domiciled somewhere in the state for voting purposes. This policy was litigated in Guare vs. the State of New Hampshire. On July 24, 2014, Superior Court Judge Brian Tucker issued an order in which he stated, in part "a citizen need not be a resident of New Hampshire in order to vote in this state." The state appealed to the New Hampshire Supreme Court and lost. This proposed constitutional amendment will require voters in this state to be residents of New Hampshire. It inserts after Part I, Article 11, one sentence that says "[Only Residents May Vote.] No person may establish a domicile for the purpose of voting unless he or she is a resident of the town, ward, or unincorporated place where he or she seeks to vote." No testimony was offered in the committee stating any reason why any resident of another state should be permitted to vote in our elections. Residency is not a requirement to remain in the state permanently. This constitutional amendment protects the votes of all legitimate residents of our state from being diluted by the votes of people who are not residents of New Hampshire. Vote 11-7.

Rep. Wayne Burton for the Minority of Election Law. By redefining domicile as residence, this proposed amendment to our state constitution will have the effect of disenfranchising those coming to NH as college students, veterans seeking services, and medical professionals on interim appointments, for example, through requiring a permanency standard deemed constitutionally unacceptable by the US Supreme Court. Changing settled law in ways that reduce voter turnout, now among the highest in the country, diminishes our exemplary status of which our forebears would be proud.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Bates spoke in favor.

Rep. Burton spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 188 NAYS 135

YEAS - 188

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari Vadney, Herbert	Russell, David	Sylvia, Michael	Tilton, Franklin
	\mathbf{C}_{A}	ARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	
	CI	HESHIRE	
Hunt, John	McConnell, James	Sterling, Franklin	
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Johnson, Eric	Ladd, Rick

HILLSBOROUGH

Adams, Christopher Belanger, James Byron, Frank Danielson, David Ferreira, Elizabeth Gould, Linda Hinch, Richard Lachance, Joseph McClarren, Donald Murphy, Keith Ohm, Bill Pierce, David Rowe, Robert Smith, Gregory Ulery, Jordan

Ammon, Keith
Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Flanagan, Jack
Griffin, Barbara
Hogan, Edith
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Palmer, Barry
Proulx, Mark
Sanborn, Laurie
Sweeney, Shawn
Wolf, Terry

Balcom, John Boehm, Ralph Christie, Rick Edelblut, Frank Fromuth, Bart Halstead, Carolyn Hopper, Gary Marston, Dick Moore, Josh Ober, Lynne Pellegrino, Anthony Rice, Kimberly Seidel, Carl Takesian, Charlene Zaricki, Nick Barry, Richard Burt, John Coffey, James Estevez, Eric Gagne, Larry Hansen, Peter Kurk, Neal McCarthy, Peggy Murotake, David Ober, Russell Peterson, Ken Rouillard, Claire Simmons, Tammy Twombly, Timothy

MERRIMACK

Brewster, Michael Hoell, J.R. Kuch, Bill McGuire, Carol Walsh, Thomas French, Harold Horn, Werner Long, Douglas McGuire, Dan

Abramson, Max

Bates, David

Cook, Allen

Elliott, Robert

Gannon, William

Guthrie, Joseph

Introne, Robert

Lundgren, David

Hess, David Kidder, David Marple, Richard Parent, Jason

Hill, Gregory Kotowski, Frank Martin, John Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Chirichiello, Brian Devine, James Friel, William Griffin, Mary Hoelzel, Kathleen Kolodziej, Walter McKinney, Betsy Osborne, Jason Prudhomme-O'Brien, Kath Thomas, Douglas

McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Thomas, Douglas
Vose, Michael
Weyler, Kenneth

McMahon, Charles
Packard, Sherman
Rice, Frederick
Tilton, Rio
Ward, Joanne
Woitkun, Steven

Allen, Mary Bush, Carol Dean-Bailey, Yvonne Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Kappler, Lawrence Major, Norman Milz, David Peckham, Michele Schroadter, Adam True, Chris Webb, James Azarian, Gary
Cardon, G. Thomas
DeSimone, Debra
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Potucek, John
Sweeney, Joe
Tucker, Pamela
Welch, David

STRAFFORD

Beaudoin, Steven Gray, James Knowles, Robert Turcotte, Leonard Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt Cheney, Catherine Hannon, Joseph Mullen, John Graham, Robert Jones, Laura Pitre, Joseph

SULLIVAN

Grenier, James Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 135 BELKNAP

Fisher, Robert

CARROLL

Buco. Thomas Butler. Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Movnihan, Wavne	Theberge, Robert	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Brown, Pamela	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Neil, William	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Vann, Ivy	Walsh, Robert	Williams, Kermit

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura
Simpson, Alexis	Ward, Gerald		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Schmidt, Andrew		

and the majority committee report failed lacking the necessary three-fifths.

MOTION TO LAY ON THE TABLE

Rep. Shurtleff moved that **CACR 17**, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting, be laid on the table. Motion adopted.

MOTION TO SPECIAL ORDER

Rep. Hinch moved that **SB 380**, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be made a Special Order as the next order of business.

Motion adopted.

SPECIAL ORDER

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. OUGHT TO PASS.

Rep. Chris Christensen for Resources, Recreation and Development. In 2003, New Hampshire brought suit against companies distributing methyl tertiary-butyl ether (MTBE) in the state, causing contamination of its waters. MTBE was banned in the state in 2007. Most companies settled out of court, but Exxon contested the suit. The case is now close to being finished in the court system, and when a settlement is received, we need to be prepared to administer the funds. There is a goal to be sure the settlement is used for its intended purposes which are water protection and remediation of contaminated sites. This bill establishes such a fund in the custody of the State Treasurer and establishes an 11 member advisory commission to oversee the use of the funds. The commission will report annually on its operations and progress. Vote 18-0.

Rep. Kurk offered floor amendment (0940h).

Floor Amendment (0940h)

Amend the introductory paragraph of RSA 485-F:3, I as inserted by section 2 of the bill by replacing it with the following:

I. The department shall administer the drinking water and groundwater trust fund through the MTBE remediation bureau. Subject to the approval of the fiscal committee of the general court, trust fund proceeds sufficient to fund the department's MTBE remediation bureau and qualifying projects shall be transferred to the department and maintained in a separate, nonlapsing account, continually appropriated to the department for the purpose of paying all costs of this program. The department shall:

Rep. Kurk spoke in favor and yielded to questions.

Floor amendment adopted.

Committee report adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Shurtleff moved that the debate on SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 380

Speaker Jasper: The Chair recognizes Rep. Kurk to offer floor amendment (0940h) and to speak to his motion.

Representative Kurk: Thank you, Mister Speaker. Mister Speaker, this bill sets up a fund consisting of the entire amount of money awarded to the State of New Hampshire in the Exxon case and requires the money to be spent for MTBE remediation and other water type projects. The way the bill is set up, the Department of Environmental Services has total control over what happens to the money, without any review, and there are no standards set up in the bill for them to operate. For a variety of reasons, I think that's inappropriate so this amendment inserts the language, "subject to the approval of the Fiscal Committee," so that at least there's some legislative involvement in spending \$200 million. This language has been vetted by various parties and it does not affect the reason for the introduction of this bill. Thank you, Mister Speaker.

Speaker Jasper: Will the member yield to a question? Rep. Lynne Ober, you may inquire.

Representative Lynne Ober: Thank you for taking my question. Normally a bill that spends money would be coming to Finance as a second committee. Is that true with this situation, and if no, would you explain please?

Representative Kurk: The answer is no and I think any explanation needs to come from the Speaker.

Speaker Jasper: I will answer the question. This bill would not be referred to Finance, as it does not involve state funds, any appropriations from the state. This is actually dealing with a settlement and that's why it would not go to Finance. Representative Marjorie Smith, you may inquire. Will the member yield to a question? Rep. Smith, you may inquire.

Representative Marjorie Smith: Thank you, Mister Speaker. Representative, is there anything in the language of your amendment that could interfere with all of the funds that may come out of this settlement being spent for the stated purposes?

Representative Kurk: No, this amendment will not change the purpose for which the funds can be spent. It only allows the department to spend those funds with the approval of the Fiscal Committee, but only for the purposes set forth in the bill.

Speaker Jasper: Thank you. By way of further explanation to the House, as you notice, this is a Senate Bill. This bill is being fast-tracked due to the fact that the whole issue with the groundwater contamination is in litigation. There is a question of will the state just take the money and spend it for any purpose. This locks it into the purpose for which the settlement would take place and the decisions are expected at the end of the month and so this language is necessary for the settlement to take place. Rep. Kurk? Member yields, you may inquire.

Representative Spang: Thank you, Mister Speaker. Thank you to the Representative from Weare. That's alright, it's just the introductions. Just to put a finer point on it. I think it is essential that we make sure that this bill goes through as cleanly as possible. When Exxon-Mobil was arguing against giving this money to the State of New Hampshire, they argued that the state has a habit of taking money that has been dedicated to something and putting it into something else. They were arguing that we would do the same...

Speaker Jasper: Will the member please suspend? The member was recognized for a question. **Representative Spang:** So, I'm asking Rep. Kurk what this amendment would do in terms of undermining that, or supporting that argument by Exxon-Mobil that we are going to put anything in the way of this money being spent strictly for MTBE? Thank you.

Representative Kurk: Thank you for the question. I can assure the member that there is nothing in this amendment which would allow the Fiscal Committee to divert the money to any other purpose. The only thing the Fiscal Committee is doing is approving or not approving the proposal from the department. It is a very minor approval in one sense, but a very important one to make sure that the department's actions are at least reviewed to some extent by the legislature through the Fiscal Committee. I don't like putting the Fiscal Committee in this kind of a position because these decisions should be made by all of us, not a group of ten, but considering the circumstances, this was the least offensive way that we could introduce the legislature into the process without in any way affecting the fact that the funds will only be used for remediation and water purposes as set forth in the bill itself. I can't think of any way to divert the money as a result of this amendment, so I'm very comfortable in assuring you and anyone else that will not happen as a result of this amendment. Speaker Jasper: The Chair will state that this language has been vetted by all parties concerned and is acceptable to all parties. Does the member yield to a further question? Member yields, you may inquire. Representative Cooney: I see from the blurb, that there is established an eleven-member advisory commission to oversee the use of the funds. I don't have the bill in front of me so I don't know how those are established. Wouldn't that be sufficient?

Representative Kurk: Thank you for the question. The advisory committee simply receives reports and has no impact on how the funds are spent. It is to provide information back to the legislature, but has no role in the determination of the purposes for which the funds are used, the particular program or anything like that. It's not like the commission is giving advice to the commissioner. Speaker Jasper: The Chair is going to make a point of clarification when I said all parties. I was referring to the State of New Hampshire. The Attorney General has vetted this language and is acceptable to the Attorney General and to the Department of Environmental Services so those are the parties and is necessary to make that clarification. Are you ready for the question? All those in favor, signify by saying, Aye; those opposed, Nay. The Ayes have it and the amendment is adopted.

THIRD READING MOTION

Reps. Hinch and Shurtleff moved that SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission, be read a third time and passed at the present time.

Adopted by the necessary two-thirds vote.

REGULAR CALENDAR CONT'D

CACR 23, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kathleen Hoelzel for the Majority of Election Law. The NH Constitution requires that the selectmen be present at the time the polls are opened and when the ballots are counted. This mandate imposed upon communities has become burdensome for local officials in recent years. This proposed amendment to the state constitution repeals the requirement that selectmen be present during voting. Their presence would continue to be required when votes are counted. The selectmen also provide notice of the meeting and the meeting is "governed" by the moderator. The moderator is authorized by statute to appoint election officials as he or she deems necessary. Integrity of the ballot box is of utmost importance and that can be accomplished by trusted appointed election officials who have been properly trained. Vote 11-7. Rep. Wayne Moynihan for the Minority of Election Law. Without a good reason, this bill proposes the initiation of the important, complicated, and cumbersome process of amending our State's Constitution. The bill wants to change the constitution to eliminate the duty it imposes upon town selectmen to be present "in open meeting" to "receive the votes of all the inhabitants." This duty has been generally construed to mean that, not all, but at least a "quorum" of the board of selectmen must be present at the voting place during elections. The bill was presented on behalf of an unknown number of selectmen, with the claim that it is burdensome and unnecessary for them to be present at elections; and that the obligation may conflict with their work lives and other activities. While there was no mention of it by the sponsors or witnesses at the public hearing, the committee learned that less than 90 days ago, in November 2015, the Governor signed into law HB 331. In 2015, HB 331 was introduced, considered by committees, and passed by both the House and the Senate. HB 331 allows selectmen to appoint substitutes, or selectmen pro tem to stand in for them on election days when they cannot be present. It is much more sensible and much better public policy to allow the just enacted HB 331 to have some time to operate before it is changed; especially by means of an amendment to the NH Constitution.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Moynihan spoke against.

Hennessey, Erin

Rep. Hunt spoke in favor and requested a roll call; sufficiently seconded.

YEAS 169 NAYS 164

YEAS - 169

BELKNAP

Aldrich, Glen Fraser, Valerie LeBreche, Shari Vadney, Herbert	Dumais, Russell Gallagher, Brian Russell, David	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Flanders, Donald Hurt, George Tilton, Franklin
	CA	ARROLL	
Avellani, Lino	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank Umberger, Karen	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
	CH	HESHIRE	
Bordenet, John Sterling, Franklin	Hunt, John	McConnell, James	Phillips, Larry
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond

Johnson, Eric

Ladd, Rick

HILLSBOROUGH

Adams, Christopher Balcom, John Barry, Richard Belanger, James Biggie, Barbara Boehm, Ralph Byron, Frank Christensen, Chris Christie, Rick Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Flanagan, Jack Gagne, Larry Gould, Linda Haefner, Robert Griffin Barbara Hinch, Richard Hogan, Edith Kurk, Neal Lachance, Joseph LeBrun, Donald Marston, Dick McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry Peterson, Ken Pierce, David Prouix, Mark Rice, Kimberly Rouillard, Claire Sanborn, Laurie Seidel, Carl Simmons, Tammy Sweeney, Shawn Takesian, Charlene Twombly, Timothy Ulery, Jordan Wolf, Terry Zaricki, Nick

MERRIMACK

French, Harold Hess. David Hill. Gregory Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Azarian, Gary Barnes, Arthur Belanger, Ronald Bush, Carol Cardon, G. Thomas Chirichiello, Brian Christie, Andrew Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James Doucette, Fred Elliott, Robert Emerick, J. Tracv Gannon, William Green, Dennis Griffin, Mary Guthrie, Joseph Harris, Jeffrey Heffron, Frank Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Kappler, Lawrence Katsakiores, Phyllis Major, Norman McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Oligny, Jeffrey Osborne, Jason Packard, Sherman Potucek, John Schroadter, Adam Sweeney, Joe Sytek, John Tilton, Rio True, Chris Tucker, Pamela Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth Woitkun, Steven

STRAFFORD

Beaudoin, Steven Bickford, David Cheney, Catherine Graham, Robert Grav, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

> **NAYS - 164** BELKNAP

Fisher, Robert

CARROLL

Buco, Thomas Butler, Edward Comeau. Ed Parker, Harold Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John Parkhurst, Henry Pearson, William Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro. Bruce Tilton, Benjamin Weber, Lucy

Froburg, Alethea

COOS

Theberge, Robert

Thomas, Yvonne

	GRAFTON		
Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

Moynihan, Wayne

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Brown, Pamela	Burt, John
Christiansen, Lars	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth
Ferreira, Elizabeth	Forest, Armand	Freitas, Mary	Fromuth, Bart
Goley, Jeffrey	Gorman, Mary	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hopper, Gary
Jack, Martin	Jeudy, Jean	Leishman, Peter	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Neil, William	Pellegrino, Anthony
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Gregory	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Vann, Ivy	Walsh, Robert
Williams, Kermit	••	•	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hoell, J.R.	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael Ferrante, Beverly Gordon, Richard Matthews, Carolyn Prudhomme-O'Brien, Katherine
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	
Francese, Paula	Friel, William	Gordon, Pamela	
Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David	
McBeath, Rebecca	Pantelakos, Laura	Peckham, Michele	
Rice, Frederick	Simpson, Alexis	Thomas, Douglas	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Mullen, John
Pitre, Joseph	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Inches Mineriales	Cohmidt Androw		

and the majority committee report failed lacking the necessary three-fifths vote.

MOTION TO LAY ON THE TABLE

Rep. Shurtleff moved that CACR 23, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1313-FN, relative to eligibility to vote and relative to availability of voter information. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. William Gannon for the Majority of Election Law. The majority of the committee believes that requiring that a voter be a resident of the state for at least 10 days is constitutional. Currently, it has been shown that there are numerous examples of out-of-state voter fraud that dilute the NH vote and are causing a loss of faith in the very integrity of the NH voting process itself. Idaho has same-day voter registration, just as NH does, with a 30-day durational residency requirement. Expanding the definition of domicile is constitutional and will guarantee that the people of NH alone choose NH elected officials. Vote 11-7.

Rep. Wayne Moynihan for the Minority of Election Law. For those who have been a part of this legislative body for the last few terms, the content and purpose of this bill amounts to "deja vu all over again." The NH Constitution establishes that a citizen may vote wherever he or she is "domiciled." This bill seeks to require a citizen to prove their "residency" before being able to exercise their right to vote. As with bills in the past, this bill seeks to conflate the meaning of these two words so as to limit the fundamental right to vote. The bill would enable a town or city clerk to examine documents such as income tax filings, hunting and fishing license applications, passport applications, and history of military service. It enables a clerk to inquire as to where a citizen spends his or her nights. The official may examine any federal identification, or driver's licenses to establish whether one is eligible to vote, and to confirm that the "residency" has existed for ten days. The history of court decisions clearly establishes that, unless bureaucratic processing requires some number of days of time to complete, no durational residency requirement may be imposed upon the right to vote. Because NH has "same-day voter registration" we know, for a fact, that there is no justification for the residency requirement of ten days or any other number of days. This bill is flawed for the same reasons it has been flawed in its prior iterations.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Moynihan spoke against.

Rep. Gannon spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 1356, relative to construction of the terms "resident" and "inhabitant." MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Griffin for the Majority of Election Law. This bill with the amendment makes technical corrections to the statutory definitions of resident and residence. The current law in RSA 21:6 says that a resident must demonstrate "... a current intent to designate that place of abode as his principal place of physical presence for the indefinite future to the exclusion of all others." In 1972, the New Hampshire Supreme Court ruled in the Newburger v. Peterson case that "the indefinite intention test offends the equal protection clause of the Fourteenth Amendment." As a result of that decision, the current definition of resident in RSA 21:6 is unconstitutional with respect to voting. To eliminate the conflict between that court decision and current law, this bill simply removes the four words "for the indefinite future" from the definition of resident. The amendment removes the same four words from the definition of residence. This legislation does not implement any policy change and has been vetted for unintended consequences by the Department of Safety, the Division of Vital Records, the New Hampshire Fish and Game Department, the University System of New Hampshire, and the Secretary of State. None of these departments found any concerns with the proposed changes and the Department of Safety and the Secretary of State explicitly support the clarification of these definitions. Vote 11-7. Rep. Wayne Burton for the Minority of Election Law. This bill is yet another attempt to change the laws that have served NH well for many years as to who may vote in our state. Federal court decisions have protected the rights of students, veterans and others in our mobile society. In this, the 100th anniversary of our presidential primary, measures tending to limit access to the polls run counter to our desire to preserve our rightful place as first in the nation.

Majority Amendment (0566h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency." Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Statutory Construction; Residence; Residency. Amend RSA 21:6-a to read as follows:

21:6-a Residence. Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that designated by a person as his *or her* principal place of physical presence [for the indefinite future] to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence.

AMENDED ANALYSIS

This bill modifies the general statutory definitions of "resident or inhabitant" and "residence or residency."

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Burton spoke against.

Rep. Barbara Griffin spoke in favor.

On a division vote, with 200 members having voted in the affirmative and 139 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1468, relative to sessions for correction of the checklist. OUGHT TO PASS WITH AMENDMENT. Rep. James Gray for Election Law. Currently RSA 654:27 and 654:28 require multiple meetings of the Supervisors of the Checklist when elections are held in close proximity. Often no voter's changes are identified during these meetings. This bill allows one meeting to serve to fulfill the requirements within a 21-day period. Additionally, it provides greater flexibility in regard to the scheduling of that meeting. Vote 13-6.

Amendment (0309h)

Amend the bill by replacing section 1 with the following:

1 Checklists: Session for Correction. Amend RSA 654:27 and 654:28 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on [the Saturday 10] a day designated by the supervisors which shall be 6 to 13 days prior to the election and upon which all hearings shall be finally closed; provided that [if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours] whenever more than one meeting is required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. All sessions for the correction of the checklist shall be for no less than 30 minutes and at the discretion of the supervisors for additional hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted and shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

654:28 Procedure. The supervisors of the checklist shall hear all applications for a correction of the checklist and the evidence submitted thereon and shall correct it according to their best knowledge so that it contains only the names of those persons qualified to vote at said election. The names of all persons not qualified to vote at the time of any session, but who shall clearly be qualified to vote on election day, may be added to the checklist at that session. [The session which is held on the Saturday 10 days prior to election day shall be held as a minimum requirement between 11:00 a.m. and 11:30 a.m. and at the discretion of the supervisors for additional hours.] No additions or corrections shall be made after the Saturday session, except as provided in RSA 659:12 or RSA 654:27[, provided, however, that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours]. The additions and corrections resulting from such session shall be made to the previously posted checklist on or before midnight on the succeeding Friday either by additions or corrections to said checklist or by posting a new corrected checklist. Notice of such additions or corrections to the checklist shall also be given to the town or city clerk.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1482, establishing a committee to study improving the statewide voter registration database. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. Adam Schroadter for the Majority of Election Law. Under the current statewide voter registration system, a person who moves from one New England state to another and registers to vote in the new state is requested to provide his or her address in the previous state so the record can be canceled there. If the person fails to provide the previous address, or if the registrar or supervisor of the checklist fails to send it to the previous jurisdiction, or if the registrar or supervisor of the checklist in the previous jurisdiction fails to act on the cancellation notice, a duplicate record exists. As introduced, this bill aimed to establish a committee to study improving the statewide voter registration database. The majority of the committee chose to amend the language, replacing the study with permissive legislation allowing the Secretary of State to enter into agreement to share voter information or data from the statewide-centralized voter registration database for the purpose of comparing duplicate information with other states or groups of states. With this permissive legislation the Secretary of State may enter into the agreements necessary for New Hampshire to participate in the Interstate Voter Registration Crosscheck Program. A majority of the states already participate in this program, including our neighboring states Massachusetts and Maine who reported as many as 14,659 duplicate records between them in 2015. If the NH Secretary of State chooses to enter the program as well, they shall review the data resulting from our participation and forward any voter irregularities identified to the Attorney General. This program will help keep voter registration information up to date and help identify voters who may be illegally voting in multiple states during the same election. Vote 10-5. Rep. William Pearson for the Minority of Election Law. The amendment attached to this bill is vague in its application and potentially harmful to New Hampshire voters. This legislation would permit the Secretary of State to enter the Interstate Voter Registration Crosscheck Program; a program that may have disenfranchised over 3,000 eligible voters in its own state of conception, Kansas. As a study committee, the bill would have afforded the House time to decide how misleading data and false positives (upwards of 59%) could be handled. The amendment takes that language out and, thus, is not supported by the minority.

Majority Amendment (0676h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the Interstate Voter Registration Crosscheck Program.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Centralized Voter Registration Database; Agreements to Share Voter Information or Data with Other States. Amend RSA 654:45 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

2 Interstate Voter Registration Crosscheck Program. Pursuant to the authority in RSA 654:45, VIII, the secretary of state may enter into the agreements necessary for the state of New Hampshire to participate in the Interstate Voter Registration Crosscheck Program. The secretary of state shall review the data resulting from its participation in the Interstate Voter Registration Crosscheck Program and forward any voter irregularities identified to the attorney general.

3 Effective Date. This act shall take effect 10 days after its passage.

AMENDED ANALYSIS

This bill authorizes the secretary of state to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Pearson spoke against and yielded to questions.

Rep. Schroadter spoke in favor.

Rep. Cote requested a roll call; sufficiently seconded.

YEAS 208 NAYS 140

YEAS - 208 BELKNAP

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Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	
		CARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		
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Hunt, John Sterling, Franklin	Johnsen, Gladys	McConnell, James	Roberts, Kris

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GRAFTON

Bailey, BradBrown, DuaneDarrow, StephenGionet, EdmondHennessey, ErinHull, RobertJohnson, EricLadd, RickMassimilla, LindaPiper, WendyShackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gould, Linda	Griffin, Barbara	Haefner, Robert
Haistead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sweeney, Shawn	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	Hess, David	Hill, Gregory	Horn, Werner
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Parent, Jason	Ratzki, Mario	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly

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Friel, William Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Packard, Sherman Rice, Frederick Thomas, Douglas Vose, Michael Weyler, Kenneth	Gannon, William Guthrie, Joseph Introne, Robert Kolodziej, Walter McKinney, Betsy O'Connor, John Peckham, Michele Schroadter, Adam Tilton, Rio Ward, Joanne	Gordon, Richard Harris, Jeffrey Itse, Daniel Lundgren, David McMahon, Charles Oligny, Jeffrey Potucek, John Sweeney, Joe True, Chris Webb, James	Green, Dennis Hodgdon, Bruce Kappler, Lawrence Major, Norman Milz, David Osborne, Jason Prudhomme-O'Brien, Katherine Sytek, John Tucker, Pamela Welch, David
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Froburg, Alethea	Moynihan, Wayne	Thomas, Yvonne	
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Abel, Richard Ford, Susan Smith, Suzanne	Almy, Susan Hennessey, Martha Sykes, George	Brown, Rebecca Higgins, Patricia Townsend, Charles	Cooney, Mary Maes, Kevin White, Andrew
	HILL	SBOROUGH	
Backus, Robert Cohen, Alan Edwards, Elizabeth Goley, Jeffrey Harvey, Suzanne Jeudy, Jean McNamara, Richard Rosenwald, Cindy Snow, Kendall Walsh, Robert	Beaulieu, Jane Cornell, Patricia Forest, Armand Gorman, Mary Heath, Mary Leishman, Peter O'Neil, William Shattuck, Gilman Soucy, Timothy Williams, Kermit	Brown, Pamela Cote, David Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangipudi, Latha Porter, Marjorie Shaw, Barbara Sullivan, Daniel	Christiansen, Lars DiSilvestro, Linda Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan Roberts, Carol Smith, Timothy Vann, Ivy
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Alicea, Caroletta Deloge, Helen French, Barbara	Bartlett, Christy Doherty, David French, Harold	Bradley, Paula Ebel, Karen Gile, Many	Carson, Clyde Frazer, June

Gile, Mary

Henle, Paul

French, Barbara

French, Harold

Hirsch, Geoffrey Karrick, David Kenison, Linda Luneau, David MacKay, James Myler, Mel Patten, Dick Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Pantelakos, Laura Simpson, Alexis Ward, Gerald

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Gardner, Janice Horrigan, Timothy DiSesa, Len Cilley, Jacalyn Smith, Marjorie Rollo, Deanna Schmidt, Peter Kaen, Naida Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 1529-FN, relative to reporting of felony convictions for voter checklist updates. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Griffin for the Majority of Election Law. This bill provides a mechanism for enforcement of our law that felons have forfeited the right to vote. Currently, there is no way for supervisors of a checklist to know when a registered voter is convicted of a felony. This bill directs that the Secretary of State shall obtain a monthly report from the Commissioner of Safety of persons who have lost their right to vote. The Secretary of State shall then indicate that disqualification on the voter database so the local communities have that information. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. In New Hampshire there is just no evidence of any history of incarcerated felons voting, or voting while on work release, on a suspended sentence, or attempting to vote by absentee ballot. Despite the absence of need, this bill creates complicated bureaucratic responsibilities which are imposed on the Department of Safety and Secretary of State's office, which the fiscal note declares will cost tens of thousands of dollars each year to administer. The sponsor did not present any source of funding for this additional government spending. The sole purpose of the new bureaucracy is to remove citizens with felonies from the voter checklists. This new system will do nothing to restore the citizen to his or her right to vote when eligible again. It is only those felons who are incarcerated in a jail or prison that are ineligible to vote. Felons on parole, probation, or serving suspended sentences are eligible to vote. However, this bill does nothing to insure that these eligible citizens are not disenfranchised. A felon may hold public office, but must swear by affidavit that he or she has completed their sentence; a fact easily determined by reference to the public record. This bill creates an unnecessary felony "tracking system" on statewide voter checklists. Since there is no demonstrable voting by ineligible felons, this burdensome and costly system solves no problem. Rather, it is much more likely to unjustly deprive a citizen of their fundamental right to vote.

Majority Amendment (0031h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Duties of Commissioner of Safety. Amend RSA 21-P:4 by inserting after paragraph XVI the following new paragraph:

XVII. Provide monthly reports to the secretary of state of all persons who have lost their right to vote pursuant to RSA 607-A:2 during the prior month.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Subparagraph; Criminal Records; Disclosure. Amend RSA 106-B:14, I by inserting after subparagraph (e) the following new subparagraph:

(f) The commissioner of the department of safety may provide monthly reports to the secretary of state pursuant to RSA 21-P:4, XVII.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Moynihan spoke against and yielded to questions.

Rep. Barbara Griffin spoke in favor and yielded to questions.

On a division vote, with 187 members having voted in the affirmative and 160 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1530-FN-L, relative to mail-in voting. INEXPEDIENT TO LEGISLATE.

Rep. Barbara Griffin for Election Law. This bill fundamentally changes our current system of voting. Our current method allows a voter to ask for an absentee ballot if they cannot go to the polling place on the day of the voting. This bill proposes to allow any voter to vote by mail. While allegedly proposed to encourage voter turnout, NH currently has one of the highest voter turnout rates in the country. The bill contains no clear process or standard as to how the verification process for ballots would occur. The Department of State and New Hampshire Municipal Association both said this would increase state and local expenditures by an unknown amount. A change to the bill as to the time ballots could be received was not received from the sponsors. Finally, there only three states that use a similar type of voting. This does not appear to create a substantially different voter participation rate than we currently have. Vote 13-5. Rep. Hoell requested a roll call; sufficiently seconded.

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Aldrich, Glen Flanders, Donald Hurt, George Tilton, Franklin	Dumais, Russell Fraser, Valerie LeBreche, Shari Vadney, Herbert	Fields, Dennis Gallagher, Brian Russell, David Varney, Peter	Fisher, Robert Howard, Jr., Raymond Spanos, Peter
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Avellani, Lino Cordelli, Glenn Nelson, Bill Umberger, Karen	Butler, Edward Crawford, Karel Parker, Harold Wright, Ted	Chandler, Gene McCarthy, Frank Schmidt, Stephen	Comeau, Ed McConkey, Mark Ticehurst, Susan
	СНЕ	ESHIRE	
Abbott, Michael Ley, Douglas Phillips, Larry Shepardson, Marjorie	Ames, Richard Mann, John Roberts, Kris Sterling, Franklin	Eaton, Daniel McConnell, James Robertson, Timothy Tatro, Bruce	Hunt, John Parkhurst, Henry Sad, Tara
	C	oos	
Fothergill, John Theberge, Robert	Rappaport, Laurence Tholl, John	Richardson, Herbert Thomas, Yvonne	Rideout, Leon
	GRA	AFTON	
Almy, Susan Darrow, Stephen Higgins, Patricia Ladd, Rick Sykes, George	Bailey, Brad Gionet, Edmond Hull, Robert Maes, Kevin Townsend, Charles	Brown, Duane Hennessey, Erin Ingbretson, Paul Piper, Wendy White, Andrew	Brown, Rebecca Hennessey, Martha Johnson, Eric Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Backus, Robert Balcom, John Barry, Richard Beaulieu, Jane Belanger, James Biggie, Barbara Boehm, Ralph

Burt, John Coffey, James Edelblut, Frank Flanagan, Jack Goley, Jeffrey Guerette, C. Lee Hansen, Peter Hopper, Gary Lachance, Joseph Mangipudi, Latha McClarren, Donald Murphy, Keith Ober, Russell Pellegrino, Anthony Proulx, Mark Sanborn, Laurie Simmons, Tammy Sullivan, Daniel Ulery, Jordan Wolf, Terry

Byron, Frank Cohen, Alan Edwards, Elizabeth Fromuth, Bart Gorman, Mary Haefner, Robert Harvey, Suzanne Jack, Martin LeBrun, Donald Marston, Dick McLean, Mark Notter, Jeanine Ohm. Bill Peterson, Ken Rice, Kimberly Seidel, Carl Smith, Gregory Sweeney, Shawn Vann, Ivv

Christensen, Chris Danielson, David Estevez, Eric Gagne, Larry Gould, Linda Halstead, Carolyn Hinch, Richard Jeudy, Jean Leishman, Peter Martel, Andre McNamara, Richard O'Brien, William Palmer, Barry Pierce, David Rouillard, Claire Shattuck, Gilman Soucy, Timothy Takesian, Charlene Walsh, Robert

Christie, Rick Eastman, Eric Ferreira, Elizabeth Gargasz, Carolyn Griffin, Barbara Hansberry, Daniel Hogan, Edith Kurk, Neal Long, Patrick McCarthy, Peggy Murotake, David Ober, Lynne Parison, James Porter, Marjorie Rowe, Robert Shaw, Barbara Stepanek, Stephen Twombly, Timothy Williams, Kermit

MERRIMACK

Bradley, Paula Ebel, Karen Gile, Mary Horn, Werner Kotowski, Frank Marple, Richard Moffett, Howard Rice, Chip Walsh, Thomas Brewster, Michael Frazer, June Hill, Gregory Karrick, David Kuch, Bill Martin, John Myler, Mel Seaworth, Brian Wheeler, Deborah

Zaricki, Nick

Carson, Clyde French, Barbara Hirsch, Geoffrey Kenison, Linda Long, Douglas McGuire, Carol Parent, Jason Turcotte, Alan

Deloge, Helen French, Harold Hoell, J.R. Kidder, David MacKay, James McGuire, Dan Patten, Dick Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Borden, David Christie. Andrew Devine, James Ferrante, Beverly Green, Dennis Heffron, Frank Itse. Daniel Lundgren, David McMahon, Charles Osborne, Jason Potucek, John Simpson, Alexis Tilton, Rio Webb, James

Abramson, Max Bates, David Cardon, G. Thomas Cook, Allen Doucette, Fred Friel, William Griffin, Mary Hodadon, Bruce Kappler, Lawrence Major, Norman Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Sweeney, Joe True, Chris Welch, David

Allen, Mary Belanger, Ronald Chase, Francis Dean-Bailey, Yvonne Elliott, Robert Gannon, William Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Rice. Frederick Sytek, John Tucker, Pamela Weyler, Kenneth

Azarian, Gary Berrien, Skip Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Introne, Robert Kolodziej, Walter McKinney, Betsy O'Connor, John Peckham, Michele Schroadter, Adam Thomas, Douglas Vose, Michael Woitkun, Steven

STRAFFORD

Bickford, David Graham, Robert Jones, Laura Leeman, Don Smith, Marjorie Turcotte, Leonard Cheney, Catherine Gray, James Kaczynski, Jr., Thomas Mullen, John Southworth, Thomas Wall, Janet Cilley, Jacalyn Groen, Warren Kaen, Naida Pitre, Joseph Spang, Judith Ward, Kenneth DiSesa, Len Hannon, Joseph Knowles, Robert Schmidt, Peter Sprague, Dale Wuelper, Kurt

SULLIVAN

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Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond Laware, Thomas	Gottling, Suzanne Rollins, Skip	Grenier, James Schmidt, Andrew
	N	NAYS - 66	
	C	CARROLL	
Buco, Thomas			
	C	HESHIRE	
Berch, Paul	Bordenet, John	Chase, Cynthia	Johnsen, Gladys
Pearson, William	Tilton, Benjamin	Weber, Lucy	
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	
	G	RAFTON	
Abel, Richard Massimilla, Linda	Bennett, Travis Smith, Suzanne	Cooney, Mary	Ford, Susan
	HILI	LSBOROUGH	
Ammon, Keith	Baroody, Benjamin	Brown, Pamela	Christiansen, Lars
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Donovan, Daniel
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Heath, Mary
Herbert, Christopher	Manley, Jonathan	Moore, Josh	O'Neil, William
Rosenwald, Cindy	Smith, Timothy	Snow, Kendall	
	MI	ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Doherty, David	Henle, Paul
Luneau, David	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen		
	RO	CKINGHAM	
Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Lovejoy, Patricia
McBeath, Rebecca	Ward, Gerald		
	ST	RAFFORD	
Baber, William	Beaudoin, Steven	Berube, Roger	Bixby, Peter

SULLIVAN

Rollo, Deanna

Stevens, Audrey

Cloutier, John

Burton, Wayne

Treleaven, Susan

and the committee report was adopted.

Horrigan, Timothy

HB 1532, permitting state or county prisoners to vote by absentee ballot. INEXPEDIENT TO LEGISLATE.

Rep. William Gannon for Election Law. The majority believes that permitting incarcerated felons to vote would be a fundamental change to our justice system. Persons who commit a serious crime have always been thought to have questionable judgment and, partially for that reason, have forfeited their vote during their incarceration. Also, forfeiture of one's vote is a punishment for the crime committed. The majority is sympathetic to the issue of rehabilitation, but does not believe there was any empirical evidence presented to the committee to show that giving a felon the right to vote while incarcerated would have a causal linkage to his return as a positive, functioning member of society. Additionally, under NH domicile law, the felon would be able to claim his prison's location as his residence and prison populations could greatly impact the voting in the location of the prisons. Vote 15-3. Committee report adopted.

HB 1440-FN, relative to certification for solid waste operators. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. George Saunderson for the Majority of Environment and Agriculture. The current certification requirements for solid waste operators serve to protect the transfer station employees and the environment from potential danger. Safe disposal of hazardous waste is a constantly evolving situation which requires annual review and training. This bill would have reduced the existing certification requirements, thereby exposing employees to potential risk from the mishandling of hazardous waste. The bipartisan majority of the committee felt that solid waste operators were not overly regulated and reducing this requirement at this time would not be in the best interest of the state. Vote 15-3. Rep. Warren Groen for the Minority of Environment and Agriculture. This bill sought to relieve small towns from the burden of redundant training and the high cost relative to benefits received. Annual renewal is an excessive burden on a fairly static recycling operation, especially when other professions are more infrequent. The Department of Environmental Services collects the \$50 fee even when they don't offer the training. Police are recertified every three years, EMTs every two years, and firefighters once and done. This is one taxpayer-funded branch of government forcing an unfunded mandate on another sector of taxpayer-funded government, irrespective of services offered.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Manley spoke against.

Rep. Saunderson spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 219 NAYS 130

YEAS - 219 BELKNAP

Fields, Dennis Russell, David	Flanders, Donald Tilton, Franklin	Gallagher, Brian	LeBreche, Shari
	C	CARROLL	
Buco, Thomas McConkey, Mark Ticehurst, Susan	Chandler, Gene Nelson, Bill Umberger, Karen	Crawford, Karel Parker, Harold	McCarthy, Frank Schmidt, Stephen
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Tilton, Benjamin	Ames, Richard Eaton, Daniel Parkhurst, Henry Sad, Tara Weber, Lucy	Berch, Paul Hunt, John Pearson, William Shepardson, Marjorie	Bordenet, John Johnsen, Gladys Phillips, Larry Sterling, Franklin
	,,	COOS	
Fothergill, John Richardson, Herbert	Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne Thomas, Yvonne
	G	GRAFTON	
Abel, Richard Cooney, Mary Hennessey, Martha Smith, Suzanne	Almy, Susan Darrow, Stephen Higgins, Patricia Sykes, George	Bennett, Travis Ford, Susan Maes, Kevin Townsend, Charles	Brown, Rebecca Hennessey, Erin Massimilla, Linda
	HILI	SBOROUGH	
Backus, Robert Beaulieu, Jane Christensen, Chris Cornell, Patricia Flanagan, Jack Gargasz, Carolyn Haefner, Robert	Balcom, John Belanger, James Christiansen, Lars Cote, David Forest, Armand Gidge, Kenneth Halstead, Carolyn	Baroody, Benjamin Biggie, Barbara Coffey, James DiSilvestro, Linda Freitas, Mary Gorman, Mary Hansberry, Daniel	Barry, Richard Brown, Pamela Cohen, Alan Donovan, Daniel Gagne, Larry Guerette, C. Lee Harvey, Suzanne

Heath, Mary Jack, Martin Leishman, Peter Martel. Andre Pellegrino, Anthony Rosenwald, Cindy Snow, Kendail Ulery, Jordan Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Ratzki, Mario Shurtleff, Stephen Wheeler, Deborah

Herbert, Christopher Jeudy, Jean Long, Patrick McCarthy, Peggy Pierce, David Rowe, Robert Soucy, Timothy Vann, Ivy

Hinch, Richard Kurk, Neal Mangipudi, Latha O'Neil, William Porter, Marjorie Seidel, Carl Sullivan, Daniel Walsh, Robert Hogan, Edith LeBrun, Donald Marston, Dick Palmer, Barry Roberts, Carol Smith, Timothy Takesian, Charlene Wolf, Terry

MERRIMACK

Bartlett, Christy Doherty, David Gile, Mary Karrick, David MacKay, James Rogers, Katherine Turcotte, Alan Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda Myler, Mel Saunderson, George Wallner, Mary Jane

Carson, Clyde Frazer, June Hess, David Kotowski, Frank Patten, Dick Schuett, Dianne Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cardon, G. Thomas Devine, James Francese, Paula Guthrie, Joseph Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Potucek, John Sytek, John Welch, David Azarian, Gary Borden, David Christie, Andrew DiFranco, Debbie Friel, William Heffron, Frank Lovejoy, Patricia McKinney, Betsy Packard, Sherman Rice, Frederick Tilton, Rio Weyler, Kenneth Barnes, Arthur Bush, Carol Cushing, Robert Elliott, Robert Gordon, Pamela Hoelzel, Kathleen Major, Norman McMahon, Charles Pantelakos, Laura Simpson, Alexis Ward, Gerald Woitkun, Steven Belanger, Ronald Cali-Pitts, Jacqueline DeSimone, Debra Ferrante, Beverly Griffin, Mary Introne, Robert Matthews, Carolyn Milz, David Peckham, Michele Sweeney, Joe Webb, James

STRAFFORD

Baber, William Cilley, Jacalyn Kaen, Naida Smith, Marjorie Treleaven, Susan Berube, Roger DiSesa, Len Pitre, Joseph Southworth, Thomas Wall, Janet Bixby, Peter Gray, James Rollo, Deanna Spang, Judith Ward, Kenneth Burton, Wayne Horrigan, Timothy Schmidt, Peter Stevens, Audrey

SULLIVAN

Cloutier, John Grenier, James Converse, Larry Rollins, Skip Gagnon, Raymond Schmidt, Andrew Gottling, Suzanne

NAYS - 130 BELKNAP

CARROLL

CHESHIRE

Aldrich, Glen Howard, Jr., Raymond Vadney, Herbert Dumais, Russell Hurt, George Varney, Peter Fisher, Robert Spanos, Peter Fraser, Valerie Sylvia, Michael

Avellani, Lino Butler, Edward Wright, Ted

Comeau, Ed

Cordelli, Glenn

Ley, Douglas McCo

McConnell, James

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Bailey, Brad Ingbretson, Paul Shackett, Jeffrey	Brown, Duane Johnson, Eric White, Andrew	Gionet, Edmond Ladd, Rick	Hull, Robert Piper, Wendy
		HILLSBOROUGH	

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christie, Rick	Danielson, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Griffin, Barbara
Hopper, Gary	Lachance, Joseph	Manley, Jonathan	McClarren, Donald
McLean, Mark	McNamara, Richard	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Parison, James	Peterson, Ken
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Shattuck, Gilman
Shaw, Barbara	Simmons, Tammy	Smith, Gregory	Stepanek, Stephen
Sullivan, Victoria	Twombly, Timothy	Williams, Kermit	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kidder, David	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Allen, Mary	Bates, David	Cahill, Michael
Chase, Francis	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
Emerick, J. Tracy	Gannon, William	Gordon, Richard	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	Nigrello, Robert	Oligny, Jeffrey
Osborne, Jason	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Turcotte, Leonard
Wuelper, Kurt			

SULLIVAN

Irwin, Virginia Laware, Thomas and the majority committee report was adopted.

HB 1499-FN, relative to certificates for rabies vaccination of dogs, cats, or ferrets. INEXPEDIENT TO LEGISLATE.

Rep. John O'Connor for Environment and Agriculture. This bill would eliminate the requirement that veterinarians send copies of certificates of rabies vaccination which they generate to town and city clerks. Eliminating this central repository puts our citizens at risk. Whenever a domestic animal bite occurs, the first responders reach out to this central location to determine whether or not the animal has been vaccinated. The bipartisan majority of the committee agreed that it is important to keep this capability in place. Vote 16-3.

Committee report adopted.

HB 1528-FN, relative to standards for aerobic septic systems. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John O'Connor for the Majority of Environment and Agriculture. This bill is specific to the use of Enhanced Treatment Units in septic systems which allow the discharge of effluent to smaller leach fields. Due to the technical nature of these systems which require soil scientist and professional expertise to install, these systems are moved from local control to permitting by the Department of

Environmental Services (DES). Although these systems have the most advanced technology, they still need to be reviewed by DES on a permit-by-permit basis to maintain a level playing field and not pit one firm against another. Our current statutes and rules accomplish this. This bill reduces the requirements below our current standards which may weaken our basic protection of human health. This bill also establishes a new position within DES without any additional funding for the position. Vote 10-6. Rep. Warren Groen for the Minority of Environment and Agriculture. This bill seeks to level the playing field for all new technology being developed for the treatment of septic waste. In committee we heard that this bill should be accomplished through rules. That was attempted in the past and failed. This bill was intended to say that any technology that could perform to a given standard would be approved to compete in the market just the same as the original design that has been approved. Majority committee report adopted.

CACR 21, relating to the attorney general. Providing that the attorney general be elected to a 4-year term. WITHOUT RECOMMENDATION.

Statement in support of Ought to Pass with Amendment: This proposed amendment to the state constitution changes the method of selection of the Attorney General. Currently, the Attorney General is nominated by the Governor and approved by the Executive Council. The constitutional amendment as filed would have changed the NH Constitution to require the Attorney General to be elected to a 4-year term by the people. The Attorney General is already directly elected in 43 other states. The current process denies the people and their representatives input into who is tasked with being charged with ensuring the laws of the state are followed. The result is that the Attorney General is an agent of the Governor and the agencies of the state rather than the people. The CACR as filed would rectify this lack of oversight by direct election. During a committee executive session, there was bipartisan support for the bill as filed but there was more support for a proposal to require the House and Senate to elect the Attorney General in joint session. This indirect election process would ensure that money is not used to "buy" the seat. This process for electing non-partisan officers of the state is already used for the Secretary of State and the State Treasurer. It has worked very well and those Constitutional officers are very responsive to the citizens. There are numerous examples of the Attorney General not being responsive to the needs of the citizens, including but not limited to: the legislature has authorized medical marijuana as the public policy of the state, but the Attorney General has opposed and thwarted the implementation of this policy at every opportunity; in the FRM case, the Attorney General's office repeatedly chose not to investigate criminal complaints costing elderly citizens millions of dollars in retirement funds; and most recently, the Attorney General has intervened to oppose parents' right to choose the most effective educational opportunities available for their children. If this proposed amendment is adopted by the people, the candidates desiring to serve in this office would submit their names to the legislature as candidates and then during a joint session of the House and Senate, the legislature would elect the Attorney General by ballot in the same manner as the Secretary of State and the Treasurer. This change would make the Attorney General more responsive to the needs of the people and the direction of their representatives than to the interests of the State Agencies and Departments and the bureaucrats that inhabit them.

Rep. J.R. Hoell

Statement in support of Inexpedient to Legislate: The Office of Attorney General has been a vital and key position in NH state government. Throughout our history there are numerous examples of where the Attorney General has "stood tall for justice" on behalf of the citizenry of NH. The present selection process is transparent and runs well. The selection process does not need tampering. Modifying the selection procedure risks not only tampering with a well-functioning system, but could further politicize the position of Attorney General. The present system where the Governor nominates a candidate, who must be confirmed by a majority of the Executive Council, provides a public vetting of the individual. New Hampshire prides itself on the access and availability of its elected officials by the public. Requiring the 424 member NH General Court to select the Attorney General will further politicize the office as well as possibly impede the operation of the NH Department of Justice. It was unclear if the present position of a four year Attorney General term would continue, or if the appointment would be for the duration of the appointing legislative body (two years). As indicated by the committee's tie vote – the decision of changing the Attorney General selection process is complex and to re-quote the old axiom "if it isn't broke, why fix it!"

Rep. Raymond Gagnon

Rep. Hoell moved Ought to Pass and offered floor amendment (0422h).

Floor Amendment (0422h)

Amend the title of the resolution by replacing it with the following:

RELATING TO:

the attorney general.

PROVIDING THAT: the attorney general be chosen by ballot of the general court.

Amend the resolution by replacing paragraph II with the following:

II. That article 67 of the second part of the constitution be amended to read as follows:

[Art.] 67. [Election of Secretary, [and] Treasurer, and Attorney General.] The Secretary, [and] Treasurer, and Attorney General shall be chosen by joint ballot of the Senators and Representatives assembled in one room.

Amend the resolution by replacing paragraph V with the following:

V. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending articles 46 and 67 of the second part of the constitution to read as follows:

[Art.] 46. [Nomination and Appointment of Officers.] All judicial officers, and all officers of the Navy, and general and field officers of the militia, shall be nominated and appointed by the Governor and Council; and every such nomination shall be made at least three days prior to such appointment; and no appointment shall take place, unless a majority of the Council agree thereto.

[Art.] 67. [Election of Secretary, Treasurer, and Attorney General.] The Secretary, Treasurer, and Attorney General shall be chosen by joint ballot of the Senators and Representatives assembled in one room."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution calls for the attorney general to be chosen by ballot of the general court.

On a division vote, with 168 members having voted in the affirmative and 165 in the negative, floor amendment (0422h) was adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.

Rep. Gagnon spoke against.

Rep. Hoell spoke in favor.

On a division vote, with 181 members having voted in the affirmative and 171 in the negative, the motion failed lacking the necessary three-fifths vote.

Rep. Shurtleff moved Inexpedient to Legislate.

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 179 NAYS 181

YEAS - 179 BELKNAP

	В	ELKNAP	,
Fields, Dennis	Flanders, Donald	Tilton, Franklin	
	C	ARROLL	
Buco, Thomas Parker, Harold	Butler, Edward Ticehurst, Susan	Crawford, Karel	McConkey, Mark
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Roberts, Kris Tatro, Bruce	Ames, Richard Eaton, Daniel Parkhurst, Henry Robertson, Timothy Weber, Lucy	Berch, Paul Johnsen, Gladys Pearson, William Sad, Tara	Bordenet, John Ley, Douglas Phillips, Larry Shepardson, Marjorie
		COOS	

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Cooney, Mary Maes, Kevin Sykes, George Almy, Susan Ford, Susan Massimilla, Linda Townsend, Charles Bennett, Travis Hennessey, Martha Piper, Wendy White, Andrew Brown, Rebecca Higgins, Patricia Smith, Suzanne

HILLSBOROUGH

Backus, Robert Belanger, James Cornell, Patricia Edwards, Elizabeth Gidge, Kenneth Halstead, Carolyn Herbert, Christopher Long, Patrick McNamara, Richard Pierce, David Rowe, Robert Snow, Kendall Baroody, Benjamin Brown, Pamela Cote, David Forest, Armand Goley, Jeffrey Hansberry, Daniel Jack, Martin Mangipudi, Latha O'Neil, William Porter, Marjorie Shattuck, Gilman Soucy, Timothy Walsh, Robert Barry, Richard
Christiansen, Lars
DiSilvestro, Linda
Freitas, Mary
Gorman, Mary
Harvey, Suzanne
Jeudy, Jean
Manley, Jonathan
Ober, Russell
Roberts, Carol
Shaw, Barbara

Beaulieu, Jane
Cohen, Alan
Donovan, Daniel
Gargasz, Carolyn
Guerette, C. Lee
Heath, Mary
Leishman, Peter
Marston, Dick
Palmer, Barry
Rosenwald, Cindy
Smith, Timothy
Takesian, Charlene
Wolf, Terry

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Myler, Mel Rogers, Katherine Turcotte, Alan

Vann, Ivy

Bartlett, Christy Doherty, David Gile, Mary Karrick, David MacKay, James Patten, Dick Saunderson, George Wallner, Mary Jane Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda Martin, John Ratzki, Mario Schuett, Dianne Wheeler, Deborah

Sullivan, Daniel

Williams, Kermit

Carson, Clyde Frazer, June Hess, David Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Azarian, Gary Cahill, Michael DiFranco, Debbie Guthrie, Joseph McKinney, Betsy Ward, Gerald Belanger, Ronald Cali-Pitts, Jacqueline Ferrante, Beverly Heffron, Frank Pantelakos, Laura Woitkun, Steven Berrien, Skip Christie, Andrew Francese, Paula Lovejoy, Patricia Simpson, Alexis

Borden, David Cushing, Robert Gordon, Pamela McBeath, Rebecca Tilton, Rio

STRAFFORD

Baber, William Burton, Wayne Kaen, Naida Southworth, Thomas Treleaven, Susan Berube, Roger Cilley, Jacalyn Rollo, Deanna Spang, Judith Wall, Janet Bickford, David DiSesa, Len Schmidt, Peter Sprague, Dale Ward, Kenneth

Bixby, Peter Horrigan, Timothy Smith, Marjorie Stevens, Audrey

SULLIVAN

Cloutier, John Grenier, James Converse, Larry Irwin, Virginia Gagnon, Raymond Schmidt, Andrew

Gottling, Suzanne

NAYS - 181 BELKNAP

Aldrich, Glen Gallagher, Brian Russell, David Varney, Peter Dumais, Russell Howard, Jr., Raymond Spanos, Peter Fisher, Robert Hurt, George Sylvia, Michael Fraser, Valerie LeBreche, Shari Vadney, Herbert Ladd, Rick

Smith, Gregory

Seaworth, Brian

Ulery, Jordan

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank Nelson, Bill Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin Tilton, Benjamin

COOS

Rappaport, Laurence Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric

Shackett, Jeffrey

Stepanek, Stephen

Zaricki, Nick

Walsh, Thomas

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Ammon, Keith Balcom, John Boehm, Ralph Byron, Frank Burt, John Christensen, Chris Christie, Rick Coffey, James Danielson, David Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gagne, Larry Gould, Linda Griffin, Barbara Hansen, Peter Hinch, Richard Haefner, Robert Hogan, Edith Hopper, Gary Kurk, Neal Lachance, Joseph LeBrun, Donald Martel, Andre McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine O'Brien, William Ober, Lynne Ohm, Bill Parison, James Pellegrino, Anthony Peterson, Ken Proulx, Mark Rice, Kimberly Rouillard, Claire Sanborn, Laurie Seidel, Carl Simmons, Tammy

MERRIMACK

Sullivan, Victoria

Twombly, Timothy

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kotowski, Frank Kuch, Bill Long, Douglas
Marole, Richard McGuire, Carol McGuire, Dan Parent, Jason

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Barnes, Arthur Chase, Francis Bates, David Bush, Carol Cardon, G. Thomas Dean-Bailey, Yvonne DeSimone, Debra Chirichiello, Brian Cook, Allen Devine, James Doucette, Fred Duarte, Joe Elliott, Robert Gordon, Richard Emerick, J. Tracv Friel, William Gannon, William Harris, Jeffrey Hodadon, Bruce Green, Dennis Griffin, Mary Itse. Daniel Kappler, Lawrence Hoelzel, Kathleen Introne, Robert Katsakiores, Phyllis Kolodziej, Walter Lundgren, David Major, Norman Matthews, Carolyn McMahon, Charles Milz. David Nigrello, Robert O'Connor, John Oligny, Jeffrey Osborne, Jason Packard, Sherman Rice. Frederick Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Schroadter, Adam Spillane, James Sweeney, Joe Svtek, John Thomas, Douglas True, Chris Tucker, Pamela Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Cheney, Catherine Graham, Robert Gray, James
Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas
Knowles, Robert Leeman, Don Mullen, John Pitre, Joseph
Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas and the motion failed.

Rollins, Skip

Smith, Steven

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **CACR 21**, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1122, relative to limitations on supervisory positions in state employment. MAJORITY: IN-EXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill seeks to require the Commissioner of the Department of Administrative Services to implement and maintain a personnel database as well as limit the number of supervisory positions in state employment. The committee agrees that it may well be time to review the entire personnel classification system for state employees. However, the committee felt that this particular bill was too limited in scope to accomplish that goal and that it sought an arbitrary solution to a more complex issue. Vote 14-2.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. This bill concerns the system by which classified positions are ranked and salaries determined. One criterion in the ranking is the degree to which a position supervises others. Figures provided show that only 11% of full-time state employee positions are classified as having no supervisory responsibilities, 38% are partial supervisors and 49% are direct supervisors. These figures are clearly higher than actual practice. This bill directs commissioners to ensure that no more than 15% of their workforce is classified as direct supervisors. It also gives them a mechanism for obtaining exceptions. Commissioners who testified in opposition agreed that the system needs reform, but proposed no specifics. This bill provides a simple, reasonable and flexible way to move our employee classification system closer to reality.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Cilley spoke in favor.

Rep. Dan McGuire spoke against and requested a roll call; sufficiently seconded.

YEAS 200 NAYS 150

YEAS - 200 BELKNAP

		DELKIMAI	
Fields, Dennis Russell, David	Fisher, Robert Tilton, Franklin	Flanders, Donald	Gallagher, Brian
		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
		CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	·
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard Cooney, Mary Ladd, Rick Smith, Suzanne Almy, Susan Ford, Susan Maes, Kevin Sykes, George Bennett, Travis Hennessey, Martha Massimilla, Linda Townsend, Charles

Brown, Rebecca Higgins, Patricia Piper, Wendy White, Andrew

HILLSBOROUGH

Backus, Robert Christiansen, Lars DiSilvestro, Linda Gidge, Kenneth Haefner, Robert Harvey, Suzanne Jack, Martin Mangipudi, Latha Palmer, Barry Prouix, Mark Shattuck, Gilman Soucy, Timothy Walsh. Robert Baroody, Benjamin Cohen, Alan Flanagan, Jack Goley, Jeffrey Halstead, Carolyn Heath, Mary Jeudy, Jean Manley, Jonathan Pellegrino, Anthony Roberts, Carol Shaw, Barbara Sullivan, Daniel Williams, Kermit Biggie, Barbara
Cornell, Patricia
Forest, Armand
Gorman, Mary
Hansberry, Daniel
Herbert, Christopher
Leishman, Peter
McNamara, Richard
Pierce, David
Rosenwald, Cindy
Smith, Timothy
Takesian, Charlene
Wolf, Terry

Christensen, Chris Cote, David Freitas, Mary Guerette, C. Lee Hansen, Peter Hinch, Richard Long, Patrick O'Neil, William Porter, Marjorie Rowe, Robert Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Karrick, David MacKay, James Ratzki, Mario Schuett, Dianne Walsh, Thomas

Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda Moffett, Howard Rice, Chip Shurtleff, Stephen Wheeler, Deborah Bradley, Paula Ebel, Karen Henle, Paul Kidder, David Myler, Mel Rogers, Katherine Turcotte, Alan

Carson, Clyde Frazer, June Hirsch, Geoffrey Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Cali-Pitts, Jacqueline Cushing, Robert Friel, William Heffron, Frank Major, Norman Packard, Sherman Sytek, John

Berrien, Skip Cardon, G. Thomas Devine, James Gordon, Pamela Hoelzel, Kathleen Matthews, Carolyn Pantelakos, Laura Tilton, Rio Borden, David Chirichiello, Brian Elliott, Robert Griffin, Mary Introne, Robert McMahon, Charles Peckham, Michele Ward, Gerald

Cahill, Michael Christie, Andrew Francese, Paula Guthrie, Joseph Lovejoy, Patricia Milz, David Simpson, Alexis Welch, David

STRAFFORD

Baber, William Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey Berube, Roger Cilley, Jacalyn Kaen, Naida Southworth, Thomas Treleaven, Susan Bickford, David DiSesa, Len Rollo, Deanna Spang, Judith Wall. Janet

Bixby, Peter Gray, James Schmidt, Peter Sprague, Dale Ward, Kenneth

SULLIVAN

Cloutier, John Grenier, James Converse, Larry Irwin, Virginia Gagnon, Raymond Schmidt, Andrew Gottling, Suzanne Smith, Steven

NAYS - 150 BELKNAP

Aldrich, Glen Hurt, George Vadney, Herbert Dumais, Russell LeBreche, Shari Varney, Peter

Fraser, Valerie Spanos, Peter Howard, Jr., Raymond Sylvia, Michael

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank Wright, Ted

CHESHIRE

Tilton, Benjamin

COOS

McConnell, James

Shackett, Jeffrey

McGuire, Dan

Weyler, Kenneth

Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Barry, Richard Beaulieu, Jane Belanger, James Boehm, Ralph Burt, John Byron, Frank Christie, Rick Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gagne, Larry Gould, Linda Griffin, Barbara Hogan, Edith Hopper, Gary Kurk, Neal Lachance, Joseph LeBrun, Donald Marston, Dick Martel, Andre McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine O'Brien, William Ober, Lynne Ober, Russell Ohm. Bill Parison, James Peterson, Ken Rice, Kimberly Rouillard, Claire Sanborn, Laurie Seidel, Carl Simmons, Tammy Smith, Gregory Stepanek, Stephen Sullivan, Victoria Twombly, Timothy Ulery, Jordan Zaricki, Nick

MERRIMACK

Seaworth, Brian

Brewster, Michael French, Harold Hess, David Hill, Gregory
Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill
Long, Douglas Marple, Richard Martin, John McGuire, Carol

ROCKINGHAM

Abramson, Max Allen, Mary Azarian, Gary Barnes, Arthur Bates, David Belanger, Ronald Bush, Carol Chase, Francis Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Duarte, Joe Emerick, J. Tracv Ferrante, Beverly Gannon, William Gordon, Richard Green, Dennis Harris, Jeffrey Hodadon, Bruce Itse. Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Lundgren, David McKinney, Betsy Nigrello, Robert O'Connor, John Oligny, Jeffrey Osborne, Jason Potucek, John Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Thomas, Douglas True, Chris Tucker, Pamela Vose, Michael Ward, Joanne Webb, James

STRAFFORD

 Beaudoin, Steven
 Cheney, Catherine
 Graham, Robert
 Groen, Warren

 Hannon, Joseph
 Jones, Laura
 Kaczynski, Jr., Thomas
 Knowles, Robert

 Leeman, Don
 Mullen, John
 Pitre, Joseph
 Turcotte, Leonard

Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip and the majority committee report was adopted.

committee report was adopted.

HB 1187-FN-L, repealing licensure of showmen. INEXPEDIENT TO LEGISLATE.

Rep. Peter Schmidt for Executive Departments and Administration. This bill targets, and would eliminate, a long-standing local control statute allowing local officials to have oversight and permitting of individuals who wish to come into a community to perform various types of shows for money. No evidence was provided to the committee that the showmen statute is causing, or has caused, any problems in any community; nor was there any call or support for a repeal. To the contrary, a repeal would infringe on local control without any countervailing benefit. Vote 7-5. On a division vote, with 192 members having voted in the affirmative and 155 in the negative, the

HB 1224, establishing RV month in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. J.R. Hoell for Executive Departments and Administration. The bill would have required the Governor to proclaim the month of June as "RV Month." While the committee felt that this was a good idea, we know that the Governor already has the authority to issue a proclamation without the legislature requiring him or her to do this. Concern was expressed by the committee members that adding a special time or date for everyone's favorite cause to our statutes could go on ad infinitum. Vote 13-2. Committee report adopted.

HB 1282, relative to the state building code. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. J.R. Hoell for the Majority of Executive Departments and Administration. The bill proposes to adopt the 2015 International Building Code as the minimum standard for all new building construction as well as any commercial or residential renovations. The changes in the code are predominantly changes to building energy efficiency and not about life safety. The energy efficiency portion is extremely extensive and adds additional requirements that may force upgrades to other portions of the structure when completing a renovation. Further evidence that this standard is a significant change is that only 6 states have adopted this 2015 standard either at a state level or at a local level. Currently MA, CT and ME are all at the 2009 level or prior editions of the code and VT has only recently adopted the more restrictive 2012 standards. The NH Homebuilders Association raised 9 issues that needed to be amended out if this standard was adopted. Committee members noted during the executive session that we already allow the local jurisdictions to adopt this policy, if they want to, and that there are no prohibitions on homeowners or businesses adopting the newer standards when renovating or building new buildings. Given the energy costs in the state, if there was a compelling reason to adopt these standards, the prospective owners would be adopting these changes on their own, but that is not happening as the costs for some of these energy "solutions" has a negative return on investment once common interest rates are taken into account. Vote 10-6. Rep. Carol Roberts for the Minority of Executive Departments and Administration. The International Building Code presently in force in New Hampshire is the 2009 code. It is generally considered among professionals that codes over five years old are dramatically out of date. It is in the best interests of all citizens of New Hampshire when the trades adhere to a newer code. While the latest code has some shortcomings, amendments have been made and may in the future be added to adjust the requirements. Although this bill had the backing of all the aforementioned trades, the majority of the committee found it Inexpedient to Legislate. The minority feels this action sets a bad precedent for allowing special interests to control the outcome of legislation and that cost should not drive changes to the many improvements to the code. Updates to the energy code will not be enforced - intensifying our dependence on fossil fuels; changes to lifesaving measures such as egress, fire protection, and emergency lighting will not be required and many other updates and additions approved by the trades will not be addressed. These items and other changes are now on the back burner due to the vote of majority.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 307 NAYS 49

YEAS - 307 BELKNAP

Aldrich, Glen
Flanders, Donald
Hurt, George
Sylvia, Michael

Dumais, Russell Fraser, Valerie LeBreche, Shari Tilton, Franklin Fields, Dennis Gallagher, Brian Russell, David Vadney, Herbert Fisher, Robert Howard, Jr., Raymond Spanos, Peter Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed McConkey, Mark Ticehurst, Susan Buco, Thomas Cordelli, Glenn Nelson, Bill Umberger, Karen

Butler, Edward Crawford, Karel Parker, Harold Wright, Ted

Chandler, Gene McCarthy, Frank Schmidt, Stephen

CHESHIRE

Berch, Paul Johnsen, Gladys Pearson, William Sad, Tara Chase, Cynthia Ley, Douglas Phillips, Larry Tilton, Benjamin Eaton, Daniel McConnell, James Roberts, Kris

Hunt, John Parkhurst, Henry Robertson, Timothy

COOS

Fothergill, John Rappaport, Laurence Tholl, John Froburg, Alethea Richardson, Herbert Thomas, Yvonne Hatch, William Rideout, Leon

Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Brown, Duane Hennessey, Erin Johnson, Eric Piper, Wendy Almy, Susan Brown, Rebecca Hennessey, Martha Ladd, Rick Shackett, Jeffrey Bailey, Brad Darrow, Stephen Higgins, Patricia Maes, Kevin Smith, Suzanne Bennett, Travis Gionet, Edmond Hull, Robert Massimilla, Linda Sykes, George

HILLSBOROUGH

Adams, Christopher Barry, Richard Bouldin, Amanda Coffey, James Danielson, David Edelblut, Frank Flanagan, Jack Gagne, Larry Griffin, Barbara Harvey, Suzanne Hopper, Gary LeBrun, Donald Martel, Andre Murotake, David O'Neil, William Palmer, Barry Porter, Marjorie Rowe, Robert Smith, Gregory Stepanek, Stephen Twombly, Timothy Zaricki, Nick

Backus, Robert Belanger, James Burt, John Cohen, Alan DiSilvestro, Linda Edwards, Elizabeth Forest, Armand Gidge, Kenneth Haefner, Robert Heath, Mary Jack, Martin Leishman, Peter McCarthy, Peggy Murphy, Keith Ober, Lynne Parison, James Proulx, Mark Sanborn, Laurie Smith, Timothy Sullivan, Daniel Ulery, Jordan

Balcom, John Biggie, Barbara Christensen, Chris Cornell, Patricia Donovan, Daniel Estevez, Eric Freitas, Mary Gorman, Mary Halstead, Carolyn Hinch, Richard Kurk, Neal Mangipudi, Latha McClarren, Donald Notter, Jeanine Ober, Russell Pellegrino, Anthony Rice. Kimberly Seidel, Carl Snow, Kendali Sullivan, Victoria Walsh. Robert

Baroody, Benjamin Boehm, Raiph Christie, Rick Cote, David Eastman, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Hansen, Peter Hogan, Edith Lachance, Joseph Marston, Dick Moore, Josh O'Brien, William Ohm. Bill Peterson, Ken Rouillard, Claire Simmons, Tammy Soucy, Timothy Takesian, Charlene Wolf, Terry

MERRIMACK

Alicea, Caroletta Doherty, David French, Harold Hill, Gregory Karrick, David Kuch, Bill Martin, John Parent, Jason Schuett, Dianne Wheeler, Deborah Bartlett, Christy Ebel, Karen Gile, Mary Hirsch, Geoffrey Kenison, Linda Long, Douglas McGuire, Carol Patten, Dick Seaworth, Brian

Bradley, Paula Frazer, June Henle, Paul Hoell, J.R. Kidder, David MacKay, James McGuire, Dan Rice, Chip Turcotte, Alan Carson, Clyde French, Barbara Hess, David Horn, Werner Kotowski, Frank Marple, Richard Myler, Mel Saunderson, George Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Bates. David Barnes, Arthur Cardon, G. Thomas Cali-Pitts, Jacqueline Christie, Andrew Cook, Allen Devine, James DiFranco, Debbie Emerick, J. Tracy Elliott, Robert Gannon, William Gordon, Richard Guthrie, Joseph Harris, Jeffrey Introne. Robert Hoelzel, Kathleen Katsakiores, Phyllis Kolodziei. Walter Major, Norman Matthews, Carolyn McMahon, Charles Milz, David Oligny, Jeffrey Osborne, Jason Peckham, Michele Potucek, John Schroadter, Adam Simpson, Alexis Sytek, John Thomas, Douglas Tucker, Pamela Vose, Michael Welch, David Weyler, Kenneth

Allen, Mary Azarian, Gary Borden, David Belanger, Ronald Chirichiello, Brian Chase. Francis Dean-Bailey, Yvonne DeSimone, Debra Doucette, Fred Duarte, Joe Francese, Paula Friel, William Green. Dennis Griffin, Mary Heffron, Frank Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Loveiov. Patricia Lundgren, David McKinney, Betsy McBeath, Rebecca Nigrello, Robert O'Connor, John Packard, Sherman Pantelakos, Laura Rice, Frederick Prudhomme-O'Brien, Katherine Spillane, James Sweeney, Joe Tilton, Rio True, Chris Ward, Joanne Webb, James Woitkun, Steven

STRAFFORD

Baber, William Bixby, Peter DiSesa, Len Groen, Warren Kaen, Naida Pitre, Joseph Spang, Judith Turcotte, Leonard

Beaudoin, Steven Burton, Wayne Gardner, Janice Hannon, Joseph Knowles, Robert Rollo, Deanna Sprague, Dale Ward, Kenneth Berube, Roger
Cheney, Catherine
Graham, Robert
Jones, Laura
Leeman, Don
Smith, Marjorie
Stevens, Audrey

Bickford, David DeLemus, Susan Gray, James Kaczynski, Jr., Thomas Mullen, John Southworth, Thomas Treleaven, Susan

SULLIVAN

Cloutier, John Laware, Thomas Converse, Larry Rollins, Skip Gottling, Suzanne Schmidt, Andrew

Wuelper, Kurt

Grenier, James Smith, Steven

NAYS - 49 CHESHIRE

Abbott, Michael Shepardson, Marjorie Ames, Richard Tatro, Bruce Bordenet, John Weber, Lucy

Mann, John

GRAFTON

Cooney, Mary

Ford, Susan

Townsend, Charles

White, Andrew

HILLSBOROUGH

Ammon, Keith Goley, Jeffrey Jeudy, Jean Pierce, David Shaw, Barbara Beaulieu, Jane Guerette, C. Lee Long, Patrick Roberts, Carol Vann, Ivy

Byron, Frank Hansberry, Daniel Manley, Jonathan Rosenwald, Cindy Williams, Kermit Christiansen, Lars Herbert, Christopher McNamara, Richard Shattuck, Gilman

MERRIMACK

Deloge, Helen Rogers, Katherine Luneau, David Shurtleff, Stephen Moffett, Howard Wallner, Mary Jane Ratzki, Mario

ROCKINGHAM

Berrien, Skip Gordon, Pamela Cahill, Michael Ward, Gerald Cushing, Robert

Ferrante, Beverly

STRAFFORD

Cilley, Jacalyn

Horrigan, Timothy

Schmidt, Peter

Wall, Janet

SULLIVAN

Gagnon, Raymond

Irwin, Virginia

and the majority committee report was adopted.

HB 1433-FN, establishing the office of ombudsman in the department of state. REFER FOR INTERIM STUDY.

Rep. John Sytek for Executive Departments and Administration. This bill would establish an office of ombudsman which would assist citizens who allege criminal acts by members of state and local government. This was introduced as a result of allegations that such complaints have not always been acted on in the past. The committee felt that there was merit to this concept but was concerned that important details need further study. Principally, there were concerns that a two-person office could easily be overwhelmed and, to a lesser extent, the funding of this office. Vote 8-5. Committee report adopted.

HB 1442-FN, relative to objections to proposed agency rules under the administrative procedure act. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Peter Schmidt for the Majority of Executive Departments and Administration. This bill seeks to add a new criterion as a basis for objection by the Joint Legislative Committee on Administrative Rules (JLCAR) to a proposed agency rule. Specifically, it would permit the committee to be "deemed to have a negative impact on businesses." While such an evaluation might be desirable in a perfect world, the committee recognized that it was too nebulous a concept to be workable and would likely lead mostly to endless wrangling. Vote 12-4.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The minority of the committee wanted to make sure the current anti-business culture of the State of NH could be eliminated. The clause in RSA 541-A "determined not to be in the public interest," is insufficient to stop some of the over-reaching rules that impact businesses in an unfavorable way. The minority supports a "belt and suspenders" approach to making sure that small businesses have a chance to have their voices and concerns raised as various rules are adopted. The clause "Determined not to be in the public interest" has been used to stop some rules from being adopted and adding the option of "Deemed to have a negative impact upon businesses" could be used in the same way to make sure we have a thriving business culture.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 222 members having voted in the affirmative and 140 in the negative, the majority committee report was adopted.

HB 1639-FN, relative to bonds for public employees. INEXPEDIENT TO LEGISLATE.

Rep. John Sytek for Executive Departments and Administration. This bill would permit any citizen injured by a bonded public servant of NH to have first-party recourse under that public servant's bond. That is, a citizen could collect directly from the bond if he or she felt injured by a public servant. Without considering the merits of the policy, there are several problems with the bill that make it unworkable and which would require extensive redrafting. For example, the bill does not specify any process procedure. How would such claims be investigated and verified? What agency would be responsible for evaluating such claims and for due process considerations? Without such an agency to provide safeguards, there could be a chaos of claims. A subcommittee heard from the Department of Administrative Services and from the Attorney General's office. They stated that bonds are issued by bonding companies to protect the state and do not contemplate claims from citizens. We heard that the provisions of this bill would be unique in the United States and no bonding company would countenance such an arrangement. Consequently as a practical matter, NH could not get bonds for its public servants under the circumstances contemplated by this bill. Finally, we heard that the State Board of Claims presently exists for just this purpose. For these reasons, the committee has recommended that the bill be found Inexpedient to Legislate. Vote 14-2. Rep. Sytek spoke in favor.

Rep. Marple spoke against and requested a roll call; sufficiently seconded.

YEAS 318 NAYS 41

YEAS - 318 BELKNAP

Dumais, Russell Fraser, Valerie Russell, David Varney, Peter

Fields, Dennis Gallagher, Brian Spanos, Peter

Fisher, Robert Hurt, George Tilton, Franklin

Flanders, Donald LeBreche, Shari Vadney, Herbert

Buco, Thomas

Butler, Edward Crawford, Karel McCarthy, Frank Parker, Harold Schmidt, Stephen CARROLL Chandler, Gene

Cordelli, Glenn Nelson, Bill McConkey, Mark Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy

Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin Berch, Paul Hunt, John Parkhurst, Henry Robertson, Timothy Tatro, Bruce

Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin

Fothergill, John Rappaport, Laurence Tholl, John

Froburg, Alethea Richardson, Herbert Thomas, Yvonne

COOS Hatch, William

Rideout, Leon

Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Brown, Rebecca Gionet, Edmond Hull, Robert Piper, Wendy Townsend, Charles Almy, Susan Cooney, Mary Hennessey, Erin Ladd, Rick Shackett, Jeffrey White, Andrew

Bennett, Travis Darrow, Stephen Hennessey, Martha Maes, Kevin Smith, Suzanne

Brown, Duane Ford, Susan Higgins, Patricia Massimilla, Linda Sykes, George

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Biggie, Barbara Christensen, Chris Cornell, Patricia Edelblut, Frank Freitas, Mary Gorman, Mary Haefner, Robert Harvey, Suzanne Hogan, Edith Lachance, Joseph Mangipudi, Latha McCarthy, Peggy Notter, Jeanine Ohm. Bill Pierce, David Rosenwald, Cindy Shattuck, Gilman Snow, Kendall Sweeney, Shawn Vann, Ivv Zaricki, Nick

Ammon, Keith Barry, Richard Boehm, Ralph Christie, Rick Cote. David Edwards, Elizabeth Gagne, Larry Gould, Linda Haistead, Carolyn Heath, Mary Jack, Martin LeBrun, Donald Manley, Jonathan McNamara, Richard O'Neil, William Palmer, Barry Porter, Mariorie Rouillard, Claire Simmons, Tammy Soucy, Timothy Takesian, Charlene Walsh, Robert

Backus, Robert Beaulieu, Jane Brown, Pamela Coffey, James Danielson, David Flanagan, Jack Gargasz, Carolyn Griffin, Barbara Hansberry, Daniel Herbert, Christopher Jeudy, Jean Leishman, Peter Marston, Dick Moore, Josh Ober, Lynne Pellegrino, Anthony Proulx, Mark Rowe, Robert Smith, Gregory Sullivan, Daniel Twombly, Timothy Williams, Kermit

Balcom, John Belanger, James Byron, Frank Cohen, Alan DiSilvestro, Linda Forest, Armand Goley, Jeffrey Guerette, C. Lee Hansen, Peter Hinch, Richard Kurk, Neal Long, Patrick Martel, Andre Murotake, David Ober, Russell Peterson, Ken Roberts, Carol Seidel, Carl Smith, Timothy Sullivan, Victoria Ulery, Jordan Wolf, Terry

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hill, Gregory Kenison, Linda Long, Douglas McGuire, Carol Parent, Jason Rogers, Katherine Shurtleff, Stephen

Wheeler, Deborah

Bartlett, Christy Doherty, David Gile, Mary Hirsch, Geoffrey Kidder, David Luneau, David McGuire, Dan Patten, Dick Saunderson, George Turcotte, Alan Bradley, Paula Ebel, Karen Henle, Paul Horn, Werner Kotowski, Frank MacKay, James Moffett, Howard Ratzki, Mario Schuett, Dianne Wallner, Mary Jane Carson, Clyde Frazer, June Hess, David Karrick, David Kuch, Bill Martin, John Myler, Mel Rice, Chip Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Bates, David Bush, Carol Chase, Francis Dean-Bailey, Yvonne Doucette, Fred Ferrante, Beverly Gordon, Pamela Guthrie, Joseph Introne, Robert Lovejoy, Patricia McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Schroadter, Adam Sytek, John Vose, Michael Welch, David

Allen, Mary Belanger, Ronald Cahill, Michael Chirichiello, Brian DeSimone, Debra Duarte, Joe Francese, Paula Gordon, Richard Heffron, Frank Kappler, Lawrence Lundgren, David McKinney, Betsy O'Connor, John Peckham, Michele Simpson, Alexis Thomas, Douglas Ward, Gerald Weyler, Kenneth

Azarian, Gary Berrien, Skip Cali-Pitts, Jacqueline Christie, Andrew Devine, James Elliott, Robert Friel. William Green, Dennis Hodadon, Bruce Katsakiores, Phyllis Major, Norman McMahon, Charles Oligny, Jeffrey Potucek, John Spillane, James Tilton, Rio Ward, Joanne Woitkun, Steven

Barnes, Arthur Borden, David Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Emerick, J. Tracy Gannon, William Griffin, Mary Hoelzel, Kathleen Kolodziej, Walter Matthews, Carolyn Milz. David Packard, Sherman Rice, Frederick Sweeney, Joe True, Chris Webb, James

STRAFFORD

Baber, William Bixby, Peter DiSesa, Len Horrigan, Timothy Leeman, Don Smith, Marjorie Stevens, Audrey Ward, Kenneth Beaudoin, Steven Burton, Wayne Gardner, Janice Jones, Laura Pitre, Joseph Southworth, Thomas Treleaven, Susan

Berube, Roger Cheney, Catherine Gray, James Kaen, Naida Rollo, Deanna Spang, Judith Turcotte, Leonard Bickford, David Cilley, Jacalyn Hannon, Joseph Knowles, Robert Schmidt, Peter Sprague, Dale Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond Laware, Thomas

Gottling, Suzanne Rollins, Skip

NAYS - 41 BELKNAP

Aldrich, Glen Howard, Jr., Raymond

Sylvia, Michael

CARROLL

Avellani, Lino Comeau, Ed

Wright, Ted

CHESHIRE

McConnell, James

GRAFTON

Bailey, Brad Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Burt, John Christiansen, Lars Donovan, Daniel Eastman, Eric Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gidge, Kenneth McClarren, Donald McLean, Mark Murphy, Keith O'Brien, William Parison, James Sanborn, Laurie Stepanek, Stephen

MERRIMACK

Brewster, Michael French, Harold Hoell, J.R. Marple, Richard

ROCKINGHAM

Abramson, Max Cook, Allen Harris, Jeffrey Itse, Daniel Osborne, Jason Tucker, Pamela

STRAFFORD

DeLemus, Susan Graham, Robert Groen, Warren Kaczynski, Jr., Thomas

Mullen, John Wuelper, Kurt and the committee report was adopted.

HB 1640-FN, relative to the expiration of administrative rules. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill seeks to change the expiration of agency rules from the current 10 years to 2 years. Several members of the ED&A Committee are currently, or have been, members of the Joint Legislative Committee on Administrative Rules (JLCAR) and are very familiar with the current process of rules promulgation. This involves a time line for crafting rules, public hearings and the review of proposed rules by JLCAR. The committee determined that an abbreviated time frame would be logistically impractical and would pose an undue burden on the agency, JLCAR and the relevant policy committees. Vote 11-2.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. This bill attempted to establish a 2-year sunset clause on administrative rules unless the rule was reviewed and approved by the legislative committee with jurisdiction over the subject matter. Concerns were expressed that this would increase the workload on the current committee members. In that rules do have the force of law and these rule changes have a huge impact on individuals and businesses, there was real concern that the current system lacks the necessary checks and balances needed with just the Joint Legislative Committee on Administrative Rules (JLCAR) serving as the gatekeeper. The policy change would allow immediate reaction by those affected by the rule changes to have a means to address the untended consequences of rules with the elected members of the House. A suggestion was made during the executive session to include the "Notices of Proposed Rules" section of the NH Rulemaking Register to the House Calendar as the agenda of the JLCAR meeting. Given the force of law that the rules carry, publishing this additional agenda information in the calendar would give greater exposure to the legislators and the public what is proposed at the next JLCAR meeting. Majority committee report adopted.

HB 1658-FN, establishing one-stop business permitting. REFER FOR INTERIM STUDY.

Rep. J.R. Hoell for Executive Departments and Administration. The bill set out to make it much easier for businesses to move or to expand in NH. While there are business development organizations within various political subdivisions, there is a need that has not been met. The chambers of commerce are doing some of this work, and the Department of Resources and Economic Development has been working on collaborating with the prospective businesses. There is no "one-stop" place for businesses to go to. Vote 11-3. Committee report adopted.

UNANIMOUS CONSENT

Rep. Leeman requested Unanimous Consent of the House regarding an apology and addressed the House.

REGULAR CALENDAR CONT'D

HB 242, relative to the statewide improvement and assessment program. MAJORITY: OUGHT TO PASS, MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kenneth Weyler for the Majority of Finance. It has been the policy of this legislature that basic skills must have been achieved by the third grade. Thus we have added money to differentiated aid to assure that students, who have not reached a certain level of proficiency in reading by the third grade, are given extra help in reading skills. This bill adds mathematics to that third grade testing, so that those students who are behind in the minimum acceptable level for math skills can be identified as well. There is no appropriation for this new program. We must discover the extent of the problem before we can talk about funding. The committee supports the policy. Vote 13-12.

Rep. Susan Ford for the Minority of Finance. The minority supports the policy of all third graders demonstrating grade level proficiency in reading and mathematics. This bill requires the Department of Education (DOE) to develop a test to determine if pupils are at grade level in reading and mathematics as part of a statewide assessment program. Since this test has been developed and the DOE monitors student performance, the minority believes that HB 242 is superfluous.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, with 215 members having voted in the affirmative and 142 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1428-FN-A-L, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Danielson for Finance. This bill as amended directs funding to eligible and completed wastewater projects under the State Aid Grant Program. It establishes a Clean Water State Revolving Fund (CWSRF) non-program account to fund years one and two of eligible and completed wastewater programs in Exeter, Rochester, Portsmouth, Hanover and Littleton. The account is funded in the amount of \$825,933 from surplus funds available in the CWSRF under RSA 486:14, I(b). There is no impact on the general fund. Vote 25-0.

Amendment (0632h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Environmental Services; Clean Water State Revolving Fund; Non-Program Fund Account. There is hereby established a special nonlapsing account within the department of environmental services known as the clean water state revolving (CWSRF) non-program fund account for the purpose of funding years one and 2 of the payments for the eligible and completed wastewater projects under the state aid grant program in section 2 of this act. Such fund shall be maintained separately and shall not be accounted for in the state's accounting system as general revenue of the state. The account shall be funded in the amount of \$825,933 from the surplus funds available in the clean water state revolving loan management account under RSA 486:14, I(b). The department of environmental services shall file an updated Clean Water State Revolving Loan Fund Intended Use Plan with the U.S. Environmental Protection Agency. Following approval of the plan, the department of environmental services shall commence payments on the tier 2 delayed and deferred projects in section 2 of this act by September 16, 2016 or 45 days after plan approval, whichever is later.

2 Department of Environmental Services. Tier 2 Delayed and Deferred Projects. Funding Authorized.

		FY 2017
Exeter	130-10 Langdon Ave PS Improvements	\$31,687
Rochester	122-11 WWTP Headworks Upgrade	\$63,346
Portsmouth	106-13 Bartlett Area Sewer Improvements	\$168,944
Portsmouth	106-14 Lincoln Area Sewer Separation - Contract 3A	\$196,936

Hanover	197-04 Water Reclamation Facility Improvements	\$284,051
Littleton	D2004-0416 Bishop Street Sanitary Sewer Infrastructure	\$20,386
Littleton	D2004-0717 Bronson Street Sanitary Sewer Improvements	\$26,345
Littleton	02008-0807 Grove Street & S. Grove Street Sanitary Sewer Replacement	\$34,238
Total Tier 2 Delayed and Deferred Projects		\$825,933

3 Repeal. Clean Water State Revolving Fund, Non-program Fund Account. The CWSRF non-program fund account established in section 1 of this act shall be repealed on the date the commissioner of the department of environmental services certifies to the director of legislative services and the secretary of state that payments on the projects listed in section 2 of this act have been made in full.

4 Effective Date. This act shall take effect on July 1, 2016.

AMENDED ANALYSIS

This bill establishes the CWSRF non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program. Committee amendment adopted.

Committee report adopted and ordered to third reading.

The House recessed at 11:58 a.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair) REGULAR CALENDAR CONT'D

HB 1475-FN-A, establishing a death benefit for a school employee killed in the line of duty. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Joseph Pitre for the Majority of Finance. This bill provides a benefit of \$100,000 from the state for a school employee who while at work dies a violent death caused by another. This is a benefit that could be negotiated under collective bargaining agreements which are best handled by school district boards. In addition, there is already a death benefit for any school employee covered by the New Hampshire Retirement System, making this additional death benefit redundant. Finally, other state and municipal employees run similar risks as school employees but are not included. Consequently, the committee believes the bill is both unnecessary and unfair. Vote 14-11.

Rep. Katherine Rogers for the Minority of Finance. Since 2013, there have been over 160 school shootings across the country, averaging one violent criminal situation resulting in one death a week. FBI statistics increasingly show education environments are among the top two settings for mass violence. Most New Hampshire school districts have some sort of "lockdown" or "shelter in place" procedures and will do at least two "lockdown" drills a year using emergency plans developed in conjunction with police and fire input. Our state statutes require every public and non public school to develop a site-specific emergency response plan in conformance to the incident command system and the national incident management system - these plans direct the Director of Homeland Security to assist school districts in conducting training for and providing support in the development, implementation and review of any emergency response plans to violent attacks. It is abundantly clear that our school employees now act as first responders when our schools come under attack. This legislature passed "Michael's law" after the murder of Officer Michael Briggs in 2006 which provided a death benefit of \$100,000 to the family of any police officer or firefighter killed in the line of duty. Like police and fire fighters, educators often find themselves on the front line of violent situations, often putting themselves between the assailant and their students. HB 1475 as amended establishes a death benefit for a school employee killed in the line of duty as a result of violence, and it provides for the Commissioner of Education, after consideration and in conjunction with a recommendation of the local school superintendent, to make a determination that the decedent qualifies for the death benefit.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Ford and Eaton spoke against and yielded to questions.

Reps. Weyler and Umberger spoke in favor.

Rep. Rogers spoke against and requested a roll call; sufficiently seconded.

YEAS 195 NAYS 160

YEAS - 195 RELKNAP

	B	ELKNAP			
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Fields, Dennis Gallagher, Brian Russell, David Vadney, Herbert	Fisher, Robert Howard, Jr., Raymond Spanos, Peter Varney, Peter	Flanders, Donald Hurt, George Sylvia, Michael		
	C	ARROLL			
Avellani, Lino McCarthy, Frank Umberger, Karen	Chandler, Gene McConkey, Mark Wright, Ted	Comeau, Ed Schmidt, Stephen	Cordelli, Glenn Ticehurst, Susan		
omborgor, reason		HESHIRE			
Hunt, John	Roberts, Kris	Sterling, Franklin			
		coos			
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John		
	G	RAFTON			
Brown, Duane Ingbretson, Paul Shackett, Jeffrey	Brown, Rebecca Johnson, Eric	Gionet, Edmond Ladd, Rick	Hull, Robert Piper, Wendy		
HILLSBOROUGH					
Adams, Christopher Belanger, James Byron, Frank Danielson, David Ferreira, Elizabeth Gagne, Larry Griffin, Barbara Hinch, Richard LeBrun, Donald Moore, Josh O'Brien, William Palmer, Barry Pierce, David Sanborn, Laurie Stepanek, Stephen Wolf, Terry	Ammon, Keith Biggie, Barbara Christensen, Chris Eastman, Eric Flanagan, Jack Gargasz, Carolyn Haefner, Robert Hogan, Edith Marston, Dick Murotake, David Ober, Lynne Parison, James Rice, Kimberly Schleien, Eric Sullivan, Victoria Zaricki, Nick	Balcom, John Boehm, Ralph Christie, Rick Edelblut, Frank Forest, Armand Gonzalez, Carlos Halstead, Carolyn Hopper, Gary McClarren, Donald Murphy, Keith Ober, Russell Pellegrino, Anthony Rouillard, Claire Seidel, Carl Takesian, Charlene	Barry, Richard Burt, John Coffey, James Estevez, Eric Fromuth, Bart Gould, Linda Hansen, Peter Kurk, Neal McLean, Mark Notter, Jeanine Ohm, Bill Peterson, Ken Rowe, Robert Simmons, Tammy Ulery, Jordan		
Brewster, Michael Hess, David Kidder, David Marple, Richard Parent, Jason	Deloge, Helen Hill, Gregory Kotowski, Frank Martin, John Seaworth, Brian	French, Barbara Hoell, J.R. Kuch, Bill McGuire, Carol Walsh, Thomas	French, Harold Horn, Werner Long, Douglas McGuire, Dan		
	ROC	CKINGHAM			
Abrami, Patrick Bush, Carol DeSimone, Debra Ferrante, Beverly Green, Dennis	Allen, Mary Chase, Francis Devine, James Friel, William Griffin, Mary	Baldasaro, Alfred Cook, Allen Duarte, Joe Gannon, William Guthrie, Joseph	Bates, David Dean-Bailey, Yvonne Emerick, J. Tracy Gordon, Richard Harris, Jeffrey		

Hodgdon, Bruce

Major, Norman

Kappler, Lawrence

Hoelzel, Kathleen

Katsakiores, Phyllis

Matthews, Carolyn

Introne, Robert

Kolodziej, Walter

McKinney, Betsy

Itse, Daniel

Lundgren, David McMahon, Charles

Milz. David Osborne, Jason Prudhomme-O'Brien, Katherine Sweeney, Joe Tucker, Pamela Welch, David

Nigrello, Robert Packard, Sherman Rice, Frederick Sytek, John Vose, Michael Wevler, Kenneth

O'Connor, John Peckham, Michele Schroadter, Adam Thomas, Douglas Ward, Joanne

Oligny, Jeffrey Potucek, John Spillane, James True, Chris Webb, James

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Mullen, John

Bickford, David Gray, James Kaczynski, Jr., Thomas Pitre, Joseph

DeLemus, Susan Groen, Warren Knowles, Robert Turcotte, Leonard

Gardner, Janice Hannon, Joseph Leeman, Don Wuelper, Kurt

SULLIVAN

Rollins, Skip Schmidt, Andrew Smith, Steven

NAYS - 160 BELKNAP

Dumais, Russell

CARROLL

Buco. Thomas Parker, Harold Butler, Edward

Crawford, Karel

Nelson, Bill

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy Tilton, Benjamin

Ames, Richard Eaton, Daniel McConnell, James Sad. Tara Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William Shepardson, Marjorie

Bordenet, John Lev. Douglas Phillips, Larry Tatro, Bruce

COOS

Fothergill, John Theberge, Robert Froburg, Alethea Thomas, Yvonne Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Sykes, George

Almy, Susan Ford, Susan Maes, Kevin Townsend, Charles

Bennett, Travis Hennessey, Erin Massimilla, Linda White, Andrew

Cooney, Mary Hennessey, Martha Smith, Suzanne

Christiansen, Lars

DiSilvestro, Linda

HILLSBOROUGH

Backus, Robert Cohen, Alan Donovan, Daniel Gorman, Mary Heath, Mary Leishman, Peter McCarthy, Peggy Proulx, Mark Shaw, Barbara Soucy, Timothy Walsh, Robert

Beaulieu, Jane Cornell, Patricia Freitas, Mary Guerette, C. Lee Herbert, Christopher Long, Patrick McNamara, Richard Roberts, Carol Smith, Gregory Sullivan, Daniel Williams, Kermit

Brown, Pamela Cote, David Gidge, Kenneth Hansberry, Daniel Jack, Martin Mangipudi, Latha O'Neil, William Rosenwald, Cindy

Goley, Jeffrey Harvey, Suzanne Lachance, Joseph Manley, Jonathan Porter, Marjorie Shattuck, Gilman Smith, Timothy Snow, Kendall Twombly, Timothy Vann, Ivy

MERRIMACK

Alicea, Caroletta Doherty, David

Bartlett, Christy Ebel, Karen

Bradley, Paula Frazer, June

Carson, Clyde Gile, Mary

Hirsch, Geoffrey Karrick, David Kenison, Linda Henle, Paul Myler, Mel MacKay, James Moffett, Howard Luneau, David Rogers, Katherine Ratzki, Mario Rice, Chip Patten, Dick Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Saunderson, George Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Abramson, Max Azarian, Garv Barnes, Arthur Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Borden, David DiFranco, Debbie Doucette, Fred Elliott, Robert Cushing, Robert Heffron, Frank Lovejoy, Patricia Francese, Paula Gordon, Pamela Simpson, Alexis Tilton, Rio McBeath, Rebecca Pantelakos, Laura Ward, Gerald Woitkun, Steven

STRAFFORD

Bixby, Peter Burton, Wayne Baber, William Berube, Roger Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Cheney, Catherine Rollo, Deanna Schmidt, Peter Smith, Marjorie Kaen, Naida Stevens, Audrey Spang, Judith Sprague, Dale Southworth, Thomas Ward, Kenneth Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas

and the majority committee report was adopted.

Rep. Barbara French voted Yea and intended to vote Nay.

HB 1591-FN-A, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Lynne Ober for the Majority of Finance. This bill, as amended, provides additional tools for the Risk Management Division of the Department of Administrative Services (DAS). When the budget was presented by the Governor, the retiree health line was underfunded by \$5.5 million. Then the federal government cut the stipend sent to us for payment of prescription drug coverage for those on Medicare by \$1 million. This stipend comes to the state because state employees do not use a Medicare Part D Plan for prescriptions. Between the time the budget was developed and the fall, prescription usage by retirees had grown so much that an additional \$4 million had been used. This left a \$10.6 million budget hole that DAS and the Fiscal Committee worked to close by amending the plan, changing co-pays and using surplus funds in the account. This bill allows the department to look at other options. One provision will continue the partial premium currently in law for retirees and spouses who turn 65 on or after July 1, 2016. This partial premium will only be paid on the portion of insurance coverage for prescriptions and supplemental coverage to Medicare, so the overall retiree cost will go down once a retiree or spouse becomes 65. Starting January 1, 2017, the agency may propose to change these rates subject to approval as allowed by state law using the approval process already established in law. Another provision allows the department to review the program and suggest needed changes in order to keep the program solvent throughout the biennium and to ensure that the state is not asked to pay the Affordable Care Act Cadillac tax, should that take effect. Finally, provision is made for a consultant to prepare a new long-term plan to fund state retiree health benefits. The \$300,000 cost will come from the risk management fund surplus. Vote 17-8.

Rep. Robert Walsh for the Minority of Finance. This bill seeks to require partial payments of health care costs from some state retirees. Our committee was informed that the health care costs will exceed funds available for such payments in the final month of the current fiscal period. The minority members on this bill are concerned about this shortfall but feel that there are many more sources from which to cover this shortfall than state retirees who are living on reduced and fixed income.

Majority Amendment (0889h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:

- II.(a) The state shall pay a partial premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.
- (b) A retired employee and/or spouse receiving medical and surgical benefits provided under this section who becomes eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016, shall continue payment of the percentage of premium contribution determined under paragraph XIII.

(c) Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

2 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent]. Beginning January 1 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.

(b) Retired state employees and/or spouses under subparagraph (a) who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016, shall continue payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as approved by the fiscal committee of the general court under subparagraph (a). The commissioner of administrative service is authorized

to invoice and collect such contribution amounts.

(c) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

- (d) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.
- 3 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided pursuant to RSA 21-I:30, [a] the premium contribution amount for either

Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court [provided the percentage is not lower than 12.5 percent] under RSA 21-1:30, XIII.

- (b) The retirement system shall continue to deduct from the monthly retirement allowance of a retired state employee and/or spouse receiving medical and surgical benefits provided pursuant to RSA 21-1:30, who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016 the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse as approved by the fiscal committee of the general court under RSA 21-1:30, XIII.
- (c) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30. XIII.
- 4 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:
 - 100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.
- I. Retired judges and their applicable spouses [who are not Medicare eligible and] receiving medical and surgical benefits shall be responsible for payment of [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent] under RSA 21-1:30, XIII.
- II. Retired judges and/or spouses receiving medical and surgical benefits under RSA 21-I:30 who become eligible for Medicare Parts A and B due to age or disability on or after July 1, 2016 shall continue to be responsible for payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse as approved by the fiscal committee of the general court under RSA 21-I:30, XIII.
- III. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.
- 5 Appropriation; Department of Administrative Services; Risk Management; Overtime. In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
 - 6 Health Care Consultant Contract; Benefit Plan; Appropriation.
- I. The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.

II. The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

7 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

- VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.
 - 8 Repeals; January 1, 2017. The following are repealed:
- I. RSA 21-I:30, II(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses who become Medicare eligible.
- II. RSA 21-I:30, XIII(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses not receiving a retirement allowance who become Medicare eligible.
- III. RSA 100-A:54, III(b), relative to continuation of premium contribution amounts for certain retired state employees and spouses receiving a retirement allowance who become Medicare eligible.
- IV. RSA 100-C:11-a, II, relative to continuation of premium contribution amounts for certain retired judges and spouses who become Medicare eligible.
 - 9 Effective Date.
 - I. Section 8 of this act shall take effect January 1, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible. The bill continues the premium contributions for retired persons receiving medical and surgical benefits who become Medicare eligible on or after July 1, 2016 until separate rates are approved effective January 1, 2017. The bill also makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan.

On a division vote, with 189 members having voted in the affirmative, and 160 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Robert Walsh spoke against.

Rep. Lynne Ober spoke in favor and yielded to questions.

Rep. Wallner requested a roll call; sufficiently seconded.

YEAS 194 NAYS 162

YEAS - 194 BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter
		CARROLL	

Avellani, Lino Buco, Thomas Chandler, Gene Comeau, Ed
Cordelli, Glenn McCarthy, Frank McConkey, Mark Parker, Harold
Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Hunt, John McConnell, James Roberts, Kris Sterling, Franklin

COOS

Fothergill, John Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Piper, Wendy

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Belanger, James Biggie, Barbara Boehm, Ralph Byron, Frank Christensen, Chris Christie, Rick Danielson, David Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gargasz, Carolyn Gould, Linda Griffin, Barbara Halstead, Carolyn Hansen, Peter Hinch, Richard Kurk, Neal Lachance, Joseph LeBrun, Donald Marston, Dick McClarren, Donald McLean, Mark Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Ober, Lynne Ober, Russell Peterson, Ken Parison, James Pellegrino, Anthony Rice, Kimberly Rouillard, Claire Rowe, Robert Simmons, Tammy Seidel, Carl Silva, Peter Sullivan, Victoria Takesian, Charlene Stepanek, Stephen

Wolf, Terry

Barry, Richard Burt, John Coffey, James Estevez, Eric Gagne, Larry Haefner, Robert Hogan, Edith Leishman, Peter Moore, Josh O'Brien, William Palmer, Barry Pierce, David Schleien, Eric Smith, Gregory Twombly, Timothy

MERRIMACK

Zaricki. Nick

French, Harold Hess. David Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Marple, Richard McGuire, Carol Long, Douglas Martin, John McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Azarian, Garv Bates, David Cardon, G. Thomas Chase, Francis Baldasaro, Alfred DeSimone, Debra Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracv Ferrante, Beverly Friel, William Gannon, William Gordon, Richard Griffin, Mary Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Itse, Daniel Kappler, Lawrence Lundgren, David Major, Norman Katsakiores, Phyllis Kolodziei, Walter Matthews, Carolyn McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Oligny, Jeffrey Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Sweeney, Joe Spillane, James Sytek, John Thomas, Douglas Tilton, Rio True, Chris Tucker, Pamela Vose, Michael Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Bickford, David Cheney, Catherine DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Kaczynski, Jr., Thomas Jones, Laura Knowles, Robert Leeman, Don Mullen, John Pitre, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Smith, Steven

Ulery, Jordan

Shaw, Barbara

Schuett, Dianne

NAYS - 162 CARROLL

Butler, Edward Crawford, Karel Nelson, Bill Ticehurst, Susan CHESHIRE

Abbott, Michael Ames. Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John Pearson, William Phillips, Larry Robertson, Timothy Sad. Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Tholl, John Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Hennessev, Martha Higgins, Patricia Ladd, Rick Maes, Kevin Massimilla, Linda Shackett, Jeffrey Smith, Suzanne Sykes, George Townsend, Charles

White, Andrew HILLSBOROUGH

Backus, Robert Baroody, Benjamin Beaulieu, Jane Brown, Pamela Christiansen, Lars Cohen, Alan Cornell. Patricia Cote, David DiSilvestro, Linda Donovan, Daniel Edwards, Elizabeth Forest, Armand Freitas, Mary Gidge, Kenneth Golev, Jeffrey Gonzalez, Carlos Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hopper, Gary Jack, Martin Long, Patrick Mangipudi, Latha Manley, Jonathan McCarthy, Peggy McNamara, Richard O'Neil, William Porter, Mariorie Proulx. Mark Roberts, Carol Rosenwald, Cindy Sanborn, Laurie Shattuck, Gilman

Smith, Timothy Sullivan, Daniel Vann, Ivy Walsh, Robert MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Brewster, Michael Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen French, Barbara Frazer, June Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Luneau, David MacKay, James Moffett, Howard Myler, Mei Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George

Snow, Kendall

Turcotte, Alan

Soucy, Timothy

Williams, Kermit

Wallner, Mary Jane

Wheeler, Deborah ROCKINGHAM

Shurtleff, Stephen

Berrien, Skip Borden, David Bush, Carol Barnes, Arthur Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Doucette, Fred Francese, Paula Gordon, Pamela Green, Dennis Loveiov. Patricia McBeath, Rebecca Heffron, Frank Pantelakos, Laura Schroadter, Adam Simpson, Alexis Ward, Gerald Ward, Joanne

Woitkun, Steven STRAFFORD

Bixby, Peter Baber, William Berube, Roger Burton, Wayne Gardner, Janice Horrigan, Timothy Cilley, Jacalyn DiSesa, Len Kaen, Naida Rollo, Deanna Schmidt, Peter Smith, Marjorie Sprague, Dale Stevens, Audrey Southworth, Thomas Spang, Judith Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne

Grenier, James Laware, Thomas Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

Rep. Irwin declared a conflict of interest and did not participate.

HB 1670-FN, relative to public employee suggestions for cost-savings measures. **INEXPEDIENT TO LEGISLATE.**

Rep. Lynne Ober for Finance. This bill represents a laudable effort to reach into the psyche of the state employees to bring forth money saving ideas. The intent is to reward state employees with a 10% cash reward of twelve months' one-year savings. The challenge of the bill is that it is intermingled with the current extraordinary service award RSA which creates confusion within the RSA. There are also issues of timing of award accounting period relative to the passage of the bill. Concern was expressed of employee dissatisfaction with peers or superiors, should an idea be lifted from the employee to the benefit of the peer or supervisor. Perhaps the concept might be reintroduced as a separate section at some time in the future. Vote 21-4. Committee report adopted.

HB 1686-FN, repealing the community heritage investment program. INEXPEDIENT TO LEGISLATE.

Rep. David Danielson for Finance. This bill seeks to defund the Land and Community Heritage and Investment Program (LCHIP). Testimony received indicated that over the 15 years of LCHIP (not funded each year) the program has provided 376 grants leveraging \$37 million for local projects. While over 238,000 acres have been acquired by municipalities through the program, an additional benefit to municipal non-profit organizations has been the ability to leverage grants to help in funding other projects - for example, preserving over 218 structures considered worth protecting by the community. In FY15, there were 35 municipalities who received benefits from LCHIP. Currently, there are 89 LCHIP projects committed to and extending through 2018. These benefits are valuable enough to the state and our communities that the committee recommends the bill be Inexpedient to Legislate so that LCHIP can continue to provide its important services. Vote 23-1. Committee report adopted.

HB 1696-FN, requesting a modification of the New Hampshire health protection program. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Karen Umberger for the Majority of Finance. The bill as it passed the House extends the existing New Hampshire Health Protection Plan (also known as Medicaid expansion) for another two years. The extension will not cost the general fund any dollars. The funding for the program will come from voluntary contributions from various charitable foundations. If the voluntary contributions are not received the program will end. The Finance Committee identified that the general fund was incurring administrative costs of approximately \$5.4 million including costs for personnel to screen applicants for the program. The bill as amended will result in these costs being paid for by the voluntary contributions. The committee amendment also makes some technical corrections; including placing the program on a calendar year basis rather than a state fiscal year basis and clarifying the procedure and timing for notifying participants should the program be terminated for lack of sufficient voluntary contributions to cover its costs. Vote 18-8.

Rep. Dan McGuire for the Minority of Finance. While HB 1696, as amended, is designed to have almost no impact on our state budget, that condition rests on the good will of hospitals and insurers. As long as the program is a moneymaker for these large businesses, they will continue to participate, but any time the expenses become higher than expected, for example if the expanded Medicaid population turns out to be less healthy or much larger than expected, they can abandon the program, leaving the state holding the bag. And what happens if the program doesn't work for just a few of the 26 hospitals and they drop out? Will the others take up the slack? But more importantly, expanded Medicaid is very poor public policy. It is a welfare program for able-bodied adults in their working years. The medical insurance provided has features such as no premiums, no co-pays, no deductibles and includes non-emergency transportation that are simply not available to workers with full-time jobs. These benefits create a strong disincentive to full-time employment and career advancement. Social cohesion, productivity and our standard of living will be lost if we make underemployment more attractive than full employment. For these reasons the minority cannot support HB 1696.

Majority Amendment (0910h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; New Hampshire Health Protection Plan. Amend RSA 126-A:5 by inserting after paragraph XXIX the following new paragraph:

- XXX.(a)(1) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:
 - (A) Unsubsidized employment.
 - (B) Subsidized private sector employment.
 - (C) Subsidized public sector employment.
- (D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
 - (E) On-the-job training.
 - (F) Job search and job readiness assistance.
 - (G) Community service programs.
 - (H) Vocational educational training not to exceed 12 months with respect to any individual.
 - (I) Job skills training directly related to employment.
- (J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.
- (K) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.
- (L) The provision of child care services to an individual who is participating in a community service program.
- (2) The requirements under subparagraph (1) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).
- (3) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).
- (4) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.
 - (5) This subparagraph shall not apply to:
- (A) A person who is temporarily unable to participate in the requirements under subparagraph (a)(1) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.
- (B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.
- (C) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.
- (b) Newly eligible adults who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.
- (c) All veterans who are current New Hampshire residents shall receive medical and medical-related services from any hospital in this state providing services to the newly eligible Medicaid population.
- (d) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.

- (e) No person, organization, department, or agency shall submit the name of any person to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a "mental defective" or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.
- (f) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by November 1, 2016. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2016, notify all program participants that the program has not been reauthorized beyond December 31, 2016.
- 2 Insurance Premium Tax; New Hampshire Health Protection Program. Amend RSA 400-A:32, III to read as follows:
- III.(a) Except as provided in subparagraph (b), the taxes imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to the state treasurer for deposit to the general fund.
- (b) Taxes imposed attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI shall be deposited into the New Hampshire health protection trust fund, established in RSA 126-A:5-b. The commissioner shall notify the state treasurer of sums for deposit into the New Hampshire health protection trust fund no later than 30 days after receipt of said taxes.
- 3 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:
- XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, [2016] 2018 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.
- 4 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:
- (c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, [2016] 2018. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from *non-general fund sources, including* federal funds as provided under 42 U.S.C. section 1396d(y).
- 5 New Hampshire Health Protection Trust Fund. Amend the introductory paragraph of RSA 126-A:5-b, I to read as follows:
- I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide [payment and reimbursement for medical and other medical-related services] coverage for the newly eligible Medicaid population as provided for under

RSA 126-A:5, [XXIII] XXIV-XXVI and RSA 126-A:67 in qualified health plans on the federal marketplace and pay for the administrative costs for the program. The commissioner may accept any gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. No state general fund appropriations shall be deposited into the fund. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse:

6 New Sections; Funding the State Share of the New Hampshire Health Protection Program; Voluntary Provider Contributions. Amend RSA 126-A by inserting after section 5-b the following

new sections:

126-A:5-c Funding the State Share of the New Hampshire Health Protection Program.

I. In this section:

- (a) "Program" means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.
- (b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for the related administrative costs; and the cost of the program for coverage effective between July 1, 2017 and December 31, 2018, plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for administrative costs attributable to the program, and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

II. Funding for the program from January 1, 2017 until December 31, 2018 shall not be funded

from general funds. The program shall be funded as follows:

- (a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).
- (b) Revenue generated under RSA 400-A:32, III(b).

(c) Other non-general fund revenues.

III. If the commissioner determines that at any time the sum total of the federal match rate applied, as set forth in 42 U.S.C. section 1396d(y)(1), and insurance premium tax revenues attributable to the program and revenue from non-general fund sources is insufficient to fully fund the program for newly eligible adults under RSA 126-A:5, XXIV-XXV, then RSA 126-A:5, XXIV and XXV shall be repealed 180 days after such determination upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services and consistent with the terms of the waiver for this program issued by the Centers for Medicare and Medicaid Services. Upon such determination, the commissioner shall immediately issue notice to program participants of the program's pending repeal.

IV. On or before August 15th of each year, the department of health and human services, in consultation with the insurance department, shall calculate the remainder amount pursuant to this section for the next calendar year. The remainder amount shall be calculated utilizing estimated insurance premium taxes attributable to medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI for each calendar year. The commissioner of health and human services shall report the remainder amounts to the insurance department, any contributing charitable foundation, the New Hampshire Health Plan, the

governor, the speaker of the house of representatives, and the senate president.

V. After the close of each calendar year, on or before January 15th, the department of health and human services, in consultation with the insurance department, shall recalculate the remainder amount utilizing actual insurance premium tax revenues attributable to medical and other medical-related services for the newly eligible Medicaid population provided for under RSA 126-A:5, XXIV-XXVI for the completed calendar year. The commissioner of health and human services shall compare the remainder amount calculations under this paragraph with the remainder amount calculations under paragraph IV and report the results to the insurance department, any contributing charitable foundation, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president. Any difference between amounts calculated under paragraphs IV and V for a completed calendar year shall be added to the remainder amount due and payable during the current calendar year. In the event that actual program costs are less than funds received, the difference shall be credited against the remaining amount for the next payable period.

- VI. The commissioner of the department of health and human services shall be responsible for determining, on a quarterly basis commencing no later than December 31, 2016, whether there is sufficient funding in the New Hampshire health protection trust fund, established in RSA 126-A:5-b, to cover projected program costs for the non-federal share for the next quarter. If at any time the commissioner determines that a projected shortfall exists, he or she shall terminate the program in accordance with paragraph III.
- 126-A:5-d Voluntary Provider Contributions. For the period of January 1, 2017 through December 31, 2018, voluntary provider donations received from the Foundation for Healthy Communities or any other charitable foundation may be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.
 - 7 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1, II to read as follows:
- II. Create a nonprofit, voluntary organization to facilitate the availability of affordable individual nongroup health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market and to support the marketplace premium assistance program established in RSA 126-A:5, XXV.
 - 8 Individual Health Insurance Market; Definitions. Amend RSA 404-G:2, X-a to read as follows:
- X-a. "Plan of operation" means the plan of operation of the risk sharing mechanism, the high risk pool, support for the program established in RSA 126-A:5, XXV, and the federally qualified high risk pool, including articles, bylaws and operating rules, procedures and policies adopted by the association.
- 9 New Paragraph; Individual Health Insurance Market; Definitions. Amend RSA 404-G:2 by inserting after paragraph X-b the following new paragraph:
- X-c. "Program" means the marketplace premium assistance program established pursuant to RSA 126-A:5, XXIV.
- 10 Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(b) and (c) to read as follows:
- (b) Established no later than November 1 in the year preceding the calendar year for which the carrier's experience shall be used to calculate the assessment; [and]
- (c) Anticipated to be sufficient to meet the high risk pool's funding needs and the association's share of the costs of the program, as defined in subparagraph (d); and
- (d) For the period of January 1, 2017 through December 31, 2018, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 404-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 404-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.
- 11 High Risk Pool; Termination Activities and Dissolution. Amend RSA 404-G:11, VI to read as follows:
- VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be [returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association] used for the program and for the association's reasonable costs for collecting its share of the remainder amount.
- VI-a. No later than October 1, 2016, the board of directors shall prepare and submit to the commissioner and the commissioner of health and human services for approval an amendment to the plan of termination that provides for the continuation of the association for the limited purpose of compliance with the provisions of RSA 404-G:5-a, IV(d).
- 12 New Section; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program. Amend RSA 126-A by inserting after section 126-A:5-d the following new section:
 - 126-A:5-e Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program.
- I. There is hereby established a commission to evaluate the effectiveness and future of the premium assistance program.

- (a) The members of the commission shall be as follows:
- (1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.
 - (3) The commissioner of the department of health and human services, or designee.
 - (4) The commissioner of the department of insurance, or designee.
- (5) A representative of an insurance carrier that offers policies for sale in New Hampshire on the exchange, appointed by the senate president.
- (6) A representative of a hospital that operates in New Hampshire, appointed by the speaker of the house of representatives.
 - (7) A public member, who is a taxpayer, appointed by the senate president.
- (8) A public member, who currently receives insurance coverage through the program, appointed by the speaker of the house of representatives.
 - (9) A licensed physician, appointed by the governor.
 - (10) A licensed mental health professional, appointed by the governor.
 - (11) A masters level licensed alcohol and drug counselor, appointed by the governor.
- (b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- II.(a) The commission shall evaluate the effectiveness and future of the premium assistance program. Specifically the commission shall:
 - (1) Review the program's financial metrics
 - (2) Review the program's product offerings.
 - (3) Review the program's impact on insurance premiums for individuals and small businesses.
- (4) Make recommendations for future program modifications, including, but not limited to whether the premium assistance program is the most cost-effective model for the long term versus a return to private market managed care.
 - (5) Evaluate non-general fund funding options for longer term continuation of the program.
- (b) Any funding solutions recommended by the commission shall not include the use of new general funds.
- (c) The commission shall solicit information from any person or entity the commission deems relevant to its study.
- III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.
- IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2017.
 - 13 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:
- I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, [XXIII] XXIV-XXV between July 1, 2014 December 31, 2016 is less than 100 percent, less than 95 percent in 2017 and less than 94 percent in 2018, of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5[, XXIII,] XXIV[5] and XXV shall [immediately] be repealed 180 days after the event under this subparagraph occurs upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services. The commissioner shall immediately issue notice to program participants of the program's pending repeal.
- 14 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a as amended by 2015, 276:260 to read as follows:
 - I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, [2016] 2018.
- 15 Repeal. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program, is repealed.
 - 16 Effective Date.
 - I. Section 2 of this act shall take effect July 1, 2017.
 - II. Section 15 of this act shall take effect December 1, 2017.

III. The remainder of this act shall take effect upon its passage. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Umberger offered floor amendment (0902h).

Floor Amendment (0902h)

Amend RSA 126-A:5, XXX(a) as inserted by section 1 of the bill by inserting after subparagraph (5) the following new subparagraph:

(6) If any provision of subparagraph (a), (c), or (d), or the application thereof to any person or circumstance, is held invalid, including, but not limited to, being contrary to federal law or not approved by the Centers for Medicare and Medicaid Services(CMS) in necessary state plan amendments or waivers, such determination shall not affect the provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of these subparagraphs are severable.

Reps. Umberger and Leishman spoke in favor.

Reps. Hoell, Lynne Ober and Simmons spoke against.

Rep. Stephen Schmidt spoke in favor and yielded to questions.

Rep. Hannon requested a roll call; sufficiently seconded.

YEAS 182 NAYS 181

YEAS - 182 BELKNAP

Flanders,	Donald
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CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy	,	
	•	COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew
	HILL	SBOROUGH	

Backus, Robert
Booras, Efstathia
Cote, David
Freitas, Mary
Gorman, Mary
Heath, Mary
Jasper, Shawn
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Snow, Kendall
Vann, Ivy

Balcom, John Brown, Pamela DiSilvestro, Linda Gargasz, Carolyn Guerette, C. Lee Herbert, Christopher Lachance, Joseph Mangipudi, Latha O'Neil, William Shattuck, Gilman Soucy, Timothy Walsh, Robert

Baroody, Benjamin Cohen, Alan Edwards, Elizabeth Gidge, Kenneth Hansberry, Daniel Hinch, Richard LeBrun, Donald Manley, Jonathan Porter, Marjorie Shaw, Barbara Sullivan, Daniel Williams, Kermit

Beaulieu, Jane Cornell, Patricia Forest, Armand Goley, Jeffrey Harvey, Suzanne Jack, Martin Leishman, Peter McCarthy, Peggy Roberts, Carol Smith, Timothy Takesian, Charlene

Byron, Frank

Coffey, James

Edelblut, Frank

MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel. Karen Frazer, June Hirsch, Geoffrey French, Barbara Gile, Mary Henle, Paul Karrick, David Kenison, Linda Kotowski, Frank Luneau, David Moffett, Howard Myler, Mel Patten, Dick MacKay, James Rogers, Katherine Saunderson, George Ratzki, Mario Rice, Chip Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah **ROCKINGHAM** Berrien, Skip Borden, David Cahill, Michael Barnes, Arthur Cardon, G. Thomas Chase, Francis Cushing, Robert Cali-Pitts, Jacqueline Francese, Paula DeSimone, Debra Devine, James DiFranco, Debbie Gordon, Pamela Griffin, Mary Guthrie, Joseph Friel, William Lovejoy, Patricia Major, Norman Hoelzel, Kathleen Heffron, Frank McMahon, Charles Milz. David Matthews, Carolyn McBeath, Rebecca Tilton, Rio Ward, Gerald Pantelakos, Laura Simpson, Alexis STRAFFORD Berube, Roger Bickford, David Baber, William Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gardner, Janice Rollo, Deanna Schmidt, Peter Horrigan, Timothy Kaen, Naida Sprague, Dale Southworth, Thomas Spang, Judith Smith, Mariorie Ward, Kenneth Stevens, Audrey Treleaven, Susan Wall, Janet **SULLIVAN** Gagnon, Raymond Gottling, Suzanne Cloutier, John Converse, Larry Irwin, Virginia Laware, Thomas Schmidt, Andrew Grenier, James **NAYS - 181** BELKNAP Fisher, Robert Aldrich, Glen Dumais, Russell Fields, Dennis Gallagher, Brian Howard, Jr., Raymond Hurt, George Fraser, Valerie Spanos, Peter Sylvia, Michael LeBreche, Shari Russell, David Tilton, Franklin Vadney, Herbert Varney, Peter CARROLL Chandler, Gene Comeau. Ed Cordelli, Glenn Avellani, Lino Parker, Harold Wright, Ted McCarthy, Frank McConkey, Mark CHESHIRE Sterling, Franklin Hunt, John McConnell, James COOS Rideout, Leon Tholl, John GRAFTON Brown, Duane Gionet, Edmond Hennessey, Erin Hull, Robert Johnson, Eric Ladd, Rick Shackett, Jeffrey Ingbretson, Paul HILLSBOROUGH Ammon, Keith Barry, Richard Belanger, James Adams, Christopher Bouldin, Amanda Burt, John Biggie, Barbara Boehm, Ralph

Christensen, Chris

Danielson, David

Estevez. Eric

Christie, Rick

Eastman, Eric

Flanagan, Jack

Christiansen, Lars

Ferreira, Elizabeth

Donovan, Daniel

Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Kurk, Neal	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Silva, Peter	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Bush, Carol	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lundgren, David	McKinney, Betsy	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	•	•	, ,

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		•

SULLIVAN

Rollins, Skip Smith, Steven and floor amendment (0902h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0921h).

Floor Amendment (0921h)

Amend RSA 126-A:5, XXX as inserted by section 1 of the bill by replacing it with the following: XXX.(a)(1) Newly eligible adults who are eligible to receive benefits under RSA 126-A:5, XXIV-XXV who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.

- (2) All veterans who are current New Hampshire residents shall receive medical and medical-related services from any hospital in this state providing services to the newly eligible Medicaid population eligible to receive benefits under RSA 126-A:5, XXIV-XXV.
- (3) A person shall not be eligible to enroll or participate in the New Hampshire health protection program, established under RSA 126-A:5, XXIV-XXV, unless such person verifies his or her United States citizenship by 2 forms of identification and proof of New Hampshire residency by either a New Hampshire driver's license or a nondriver's picture identification card issued pursuant to RSA 260:21.

(4) No person, organization, department, or agency shall submit the name of any person eligible to receive benefits under RSA 126-A:5, XXIV-XXV to the National Instant Criminal Background Check System (NICS) on the basis that the person has been adjudicated a "mental defective" or has been committed to a mental institution, except pursuant to a court order issued following a hearing in which the person participated and was represented by an attorney.

(b) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by November 1, 2016. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2016, notify all program participants that the program has not been reauthorized beyond December 31, 2016.

Rep. Hoell spoke in favor.

Rep. Kotowski spoke against.

MOTION TO LAY ON THE TABLE

Rep. Simmons moved that HB 1696-FN, requesting a modification of the New Hampshire health protection program, be laid on the table.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 137 NAYS 221

YEAS - 137

BELKNAP

Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Russell, David
Spanos, Peter	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Avoilaili, Elilo	Comoda, Ed	Coracin, and in	

CHESHIRE

McConnell, James Hunt, John

COOS

Rideout, Leon

Ulery, Jordan

GRAFTON

Brown, Duane Ladd, Rick	Hull, Robert Shackett, Jeffrey	Ingbretson, Paul	Johnson, Eric
	HIL	LSBOROUGH	

Adams, Christopher	Ammon, Keith	Barry, Richard	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christie, Rick
Coffey, James	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gould, Linda	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Kurk, Neal	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy

	ME	RRIMACK	
Brewster, Michael Hoell, J.R. Marple, Richard Parent, Jason	French, Harold Horn, Werner Martin, John Seaworth, Brian	Hess, David Kuch, Bill McGuire, Carol Walsh, Thomas	Hill, Gregory Long, Douglas McGuire, Dan
	ROC	CKINGHAM	
Abrami, Patrick Bush, Carol Emerick, J. Tracy Green, Dennis Kappler, Lawrence Osborne, Jason Schroadter, Adam True, Chris Welch, David	Abramson, Max Cook, Allen Ferrante, Beverly Harris, Jeffrey Kolodziej, Walter Potucek, John Spillane, James Tucker, Pamela Weyler, Kenneth	Baldasaro, Alfred Dean-Bailey, Yvonne Gannon, William Hodgdon, Bruce Lundgren, David Prudhomme-O'Brien, Katherine Sweeney, Joe Vose, Michael	Bates, David Duarte, Joe Gordon, Richard Itse, Daniel Oligny, Jeffrey Rice, Frederick Thomas, Douglas Ward, Joanne
	ST	RAFFORD	
Beaudoin, Steven Hannon, Joseph Leeman, Don Wuelper, Kurt	DeLemus, Susan Jones, Laura Mullen, John	Graham, Robert Kaczynski, Jr., Thomas Pitre, Joseph	Groen, Warren Knowles, Robert Turcotte, Leonard
	SU	JLLIVAN	
Rollins, Skip			
	N	AYS - 221	
	B	ELKNAP	
Fields, Dennis	Flanders, Donald	Tilton, Franklin	
	C	ARROLL	
Buco, Thomas McConkey, Mark Ticehurst, Susan	Butler, Edward Nelson, Bill Umberger, Karen	Chandler, Gene Parker, Harold Wright, Ted	Crawford, Karel Schmidt, Stephen
	CI	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Robertson, Tirnothy Tatro, Bruce	Ames, Richard Eaton, Daniel Pearson, William Sad, Tara Tilton, Benjamin	Berch, Paul Johnsen, Gladys Phillips, Larry Shepardson, Marjorie Weber, Lucy	Bordenet, John Ley, Douglas Roberts, Kris Sterling, Franklin
		COOS	
Fothergill, John Rappaport, Laurence Thomas, Yvonne	Froburg, Alethea Richardson, Herbert	Hatch, William Theberge, Robert	Moynihan, Wayne Tholl, John
monas, rvome	G	RAFTON	
Abel, Richard Cooney, Mary Hennessey, Erin Massimilla, Linda Townsend, Charles	Almy, Susan Darrow, Stephen Hennessey, Martha Piper, Wendy White, Andrew	Bennett, Travis Ford, Susan Higgins, Patricia Smith, Suzanne	Brown, Rebecca Gionet, Edmond Maes, Kevin Sykes, George
		SBOROUGH	
Backus, Robert Belanger, James	Balcom, John Booras, Efstathia	Baroody, Benjamin Bouldin, Amanda	Beaulieu, Jane Brown, Pamela

Christensen, Chris

Christiansen, Lars

Cohen, Alan

Cornell, Patricia

Cote, David
Gargasz, Carolyn
Gorman, Mary
Hansberry, Daniel
Hinch, Richard
LeBrun, Donald
Manley, Jonathan
O'Neil, William
Roberts, Carol
Shaw, Barbara
Sullivan, Daniel
Williams, Kermit

Danielson, David Gidge, Kenneth Griffin, Barbara Harvey, Suzanne Jack, Martin Leishman, Peter Marston, Dick Palmer, Barry Rosenwald, Cindy Smith, Timothy Takesian, Charlene Wolf, Terry Forest, Armand Goley, Jeffrey Guerette, C. Lee Heath, Mary Jeudy, Jean Long, Patrick McCarthy, Peggy Porter, Marjorie Rowe, Robert Snow, Kendall Vann, Ivy Freitas, Mary Gonzalez, Carlos Haefner, Robert Herbert, Christopher Lachance, Joseph Mangipudi, Latha McNamara, Richard Proulx, Mark Shattuck, Gilman Soucy, Timothy Walsh, Robert

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne Wheeler, Deborah Bradley, Paula Ebel, Karen Henle, Paul Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen Carson, Clyde Frazer, June Hirsch, Geoffrey Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Allen, Mary Borden, David Chase, Francis Devine, James Francese, Paula Guthrie, Joseph Katsakiores, Phyllis McBeath, Rebecca Nigrello, Robert Peckham, Michele Ward, Gerald Azarian, Gary
Cahill, Michael
Christie, Andrew
DiFranco, Debbie
Friel, William
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Simpson, Alexis
Webb, James

Barnes, Arthur Cali-Pitts, Jacqueline Cushing, Robert Doucette, Fred Gordon, Pamela Hoelzel, Kathleen Major, Norman McMahon, Charles Packard, Sherman Sytek, John Woitkun, Steven

Berrien, Skip Cardon, G. Thomas DeSimone, Debra Elliott, Robert Griffin, Mary Introne, Robert Matthews, Carolyn Milz, David Pantelakos, Laura Tilton, Rio

STRAFFORD

Baber, William Burton, Wayne Gray, James Schmidt, Peter Sprague, Dale Ward, Kenneth

Berube, Roger Cilley, Jacalyn Horrigan, Timothy Smith, Marjorie Stevens, Audrey Bickford, David DiSesa, Len Kaen, Naida Southworth, Thomas Treleaven, Susan

Bixby, Peter Gardner, Janice Rollo, Deanna Spang, Judith Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Smith, Steven Converse, Larry Irwin, Virginia Gagnon, Raymond Laware, Thomas Gottling, Suzanne Schmidt, Andrew

and the motion failed.

The question now being adoption of floor amendment (0921h). Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 14 NAYS 344

YEAS - 14 BELKNAP

Hurt, George

Varney, Peter

GRAFTON

Ingbretson, Paul

HILLSBOROUGH

Danielson, David Murotake, David

Ferreira, Elizabeth

McBeath, Rebecca

Flanagan, Jack

McLean, Mark

MERRIMACK

Hess, David

ROCKINGHAM

Elliott, Robert

Vose, Michael

STRAFFORD

Pitre, Joseph

Wuelper, Kurt

NAYS - 344

BELKNAP

Aldrich, Glen Fraser, Valerie Russell, David Vadney, Herbert Dumais, Russell Gallagher, Brian Spanos, Peter

Fields, Dennis Howard, Jr., Raymond Sylvia, Michael

Flanders, Donald LeBreche, Shari Tilton, Franklin

CARROLL

Avellani, Lino Comeau, Ed McConkey, Mark Ticehurst, Susan

Buco, Thomas Cordelli, Glenn Nelson, Bill Umberger, Karen Butler, Edward Crawford, Karel Parker, Harold Wright, Ted

Chandler, Gene McCarthy, Frank Schmidt, Stephen

CHESHIRE

Abbott, Michael Chase, Cynthia Lev. Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy

Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin Berch, Paul Hunt, John McConnell, James Robertson, Timothy Tatro, Bruce

Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin

COOS

Fotheraill, John Rappaport, Laurence Tholl, John

Froburg, Alethea Richardson, Herbert Thomas, Yvonne

Hatch, William Rideout, Leon

Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Brown, Rebecca Gionet, Edmond Hull, Robert Massimilla, Linda Sykes, George

Almy, Susan Cooney, Mary Hennessey, Erin Johnson, Eric Piper, Wendy Townsend, Charles

Darrow, Stephen Hennessey, Martha Ladd, Rick Shackett, Jeffrey White, Andrew

Bennett, Travis

Brown, Duane Ford, Susan Higgins, Patricia Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Biggie, Barbara Brown, Pamela Christiansen, Lars Cornell, Patricia Edelblut, Frank Fromuth, Bart Goley, Jeffrey

Ammon, Keith Barry, Richard Boehm, Ralph Burt, John Christie, Rick Cote, David Estevez, Eric Gagne, Larry Gonzalez, Carlos

Backus, Robert Beaulieu, Jane Booras, Efstathia Byron, Frank Coffey, James Donovan, Daniel Forest, Armand Gargasz, Carolyn Gorman, Mary

Balcom, John Belanger, James Bouldin, Amanda Christensen, Chris Cohen, Alan Eastman, Eric Freitas, Mary Gidge, Kenneth Gould, Linda

Griffin, Barbara Hansberry, Daniel Herbert, Christopher Jack, Martin LeBrun, Donald Manley, Jonathan McNamara, Richard O'Brien, William Ohm, Bill Peterson, Ken Rice, Kimberly Rowe, Robert Shaw, Barbara Smith, Timothy Sullivan, Daniel Twombly, Timothy Williams, Kermit

Guerette, C. Lee Hansen, Peter Hinch, Richard Jeudy, Jean Leishman, Peter Marston, Dick Moore, Josh O'Neil, William Palmer, Barry Pierce, David Roberts, Carol Sanborn, Laurie Silva, Peter Snow, Kendall Sullivan, Victoria Ulery, Jordan Wolf, Terry

Haefner, Robert Harvey, Suzanne Hogan, Edith Kurk, Neal Long, Patrick McCarthy, Peggy Murphy, Keith Ober, Lynne Parison, James Porter, Marjorie Rosenwald, Cindy Seidel, Carl Simmons, Tammy Soucy, Timothy Sweeney, Shawn Vann, Ivv

Halstead, Carolyn Heath, Mary Hopper, Gary Lachance, Joseph Mangipudi, Latha McClarren, Donald Notter, Jeanine Ober, Russell Pellegrino, Anthony Proulx, Mark Rouillard, Claire Shattuck, Gilman Smith, Gregory Stepanek, Stephen Takesian, Charlene Walsh, Robert

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Henle, Paul Horn, Werner Kotowski, Frank MacKay, James McGuire, Dan Patten, Dick Saunderson, George Turcotte, Alan Bartlett, Christy Deloge, Helen French, Barbara Hill, Gregory Karrick, David Kuch, Bill Marple, Richard Moffett, Howard Ratzki, Mario Schuett, Dianne Wallner, Mary Jane Bradley, Paula Doherty, David French, Harold Hirsch, Geoffrey Kenison, Linda Long, Douglas Martin, John Myler, Mel Rice, Chip Seaworth, Brian Walsh, Thomas

Brewster, Michael Ebel, Karen Gile, Mary Hoell, J.R. Kidder, David Luneau, David McGuire, Carol Parent, Jason Rogers, Katherine Shurtleff, Stephen Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Borden, David Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Ferrante, Beverly Gordon, Pamela Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman Milz, David Osborne, Jason Potucek, John Simpson, Alexis Thomas, Douglas Ward, Gerald Weyler, Kenneth

Abramson, Max Barnes, Arthur Bush, Carol Chase, Francis Dean-Bailey, Yvonne Doucette, Fred Francese, Paula Gordon, Richard Harris, Jeffrey Introne, Robert Kolodziej, Walter Matthews, Carolyn Nigrello, Robert Packard, Sherman Prudhomme-O'Brien, Katherine Spillane, James Tilton, Rio Ward, Joanne

Allen, Mary Bates, David Cahill, Michael Christie, Andrew DeSimone, Debra Duarte, Joe Friel, William Green. Dennis Heffron, Frank Itse, Daniel Lovejov, Patricia McKinney, Betsy O'Connor, John Pantelakos, Laura Rice, Frederick Sweeney, Joe True. Chris Webb, James

Azarian, Gary Berrien, Skip Cali-Pitts, Jacqueline Cook, Allen Devine, James Emerick, J. Tracy Gannon, William Griffin, Mary Hodgdon, Bruce Kappler, Lawrence Lundgren, David McMahon, Charles Oligny, Jeffrey Peckham, Michele Schroadter, Adam Sytek, John Tucker, Pamela Welch, David

STRAFFORD

Baber, William Bixby, Peter DiSesa, Len Beaudoin, Steven Burton, Wayne Gardner, Janice

Woitkun, Steven

Berube, Roger Cilley, Jacalyn Graham, Robert

Bickford, David DeLemus, Susan Gray, James

Groen, Warren	Hannon, Joseph	Horrigan, Timothy	Jones, Laura
Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert	Leeman, Don
Mullen, John	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Turcotte, Leonard	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Rollins, Skip
Schmidt, Andrew	Smith, Steven		· ·
and floor amondes	mt (0001h) failed		

and floor amendment (0921h) failed.

Reps. Elliott, Vose and Ferreira voted Yea and intended to vote Nay.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (0920h).

Floor Amendment (0920h)

Amend the title of the bill by replacing it with the following:

requesting a modification of the New Hampshire health protection program and AN ACT establishing Keno.

Amend the bill by replacing all after section 15 with the following:

16 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new subdivision:

Keno

284:41 Definition. In this subdivision, "keno" means any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager.

284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision relative to keno games operating in a town or city that has voted to allow such gaming.

284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative to:

- I. The application procedure for keno licenses.
- II. Information to be required on license applications.
- III. Procedures for a hearing following the revocation of a license.
- IV. The operation of keno games, including types and amounts of wagers.
- V. Information required and forms for submission of financial reports.
- 284:44 License Fees.
- I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be \$500 per year. Such fee shall be submitted to the lottery commission at the time the application is made and shall be refunded if the application is denied.
- II. All net proceeds collected by the lottery commission under this section and RSA 284;47 shall be deposited in the education trust fund established under RSA 198:39.
 - 284:45 License Applications.
- I. Applications shall be submitted to the lottery commission by the licensee. Proof of authority to submit the application on behalf of the licensee may be required.
 - II. Applications shall be made only on the forms supplied to the licensee by the lottery commission.
 - III. The application form shall be fully completed by the licensee.
- IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days before the first game date.
 - V. The applicant shall certify under oath that:
 - (a) The information provided on the application is accurate.
- (b) Neither the applicant nor any employee will operate keno games if such person has been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any state.
- (c) The applicant and any employee who will be participating in the operation of the keno games is aware of all statutes and rules applicable to the operation of keno games.

- VI. To be eligible for licensure under this subdivision an applicant shall:
 - (a) Document that it is one of the following:
- (1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II, RSA 178:21, II(a) or (b), or RSA 178:22, V(q).
 - (2) A brew pub holding a valid liquor license under RSA 178:13.
 - (3) A ballroom holding a valid liquor license under RSA 178:22, V(c).
- (4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).
 - (5) A convention center holding a valid liquor license under RSA 178:22, V(i).
 - (6) A hotel holding a valid liquor license under RSA 178:22, V(k).
 - (7) A racetrack holding a valid liquor license under RSA 178:22, V(n).
 - (8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).
- (b) Document that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.
 - (c) Maintain a current list of employees.
- VII. Any suspension or revocation of a liquor license shall result in the immediate suspension of the keno license issued under this chapter.

284:46 License; Issuance.

- I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the application and shall, in writing, grant or deny the application within 45 days of receipt.
 - II. The lottery commission shall deny a license application for any one of the following reasons:
 - (a) The license of the applicant has been previously revoked by the commission.
- (b) The applicant has been convicted of a crime provided for in this chapter or in any other chapter for any gaming offense.
 - (c) The applicant loses his or her liquor license after submitting the application.
- III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or in any other state shall be licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.
 - 284:47 Operation of Keno Games.
 - I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.
 - II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92 percent:
- (a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.
- (b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established under RSA 198:39.
- III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a keno game licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:48 Financial Reports and Inspection Required.

- I. Any person which has been licensed to conduct keno games shall submit a complete financial report to the lottery commission for each license issued under RSA 284:46 within 15 days after the expiration of each license, provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under RSA 284:46 on a form to be approved by the lottery commission.
- II. All licensees shall maintain a separate checking account for the deposit and disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be commingled with other funds of the licensee. The licensee shall retain all cancelled checks for the payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

III. All financial reports filed by the licensee shall be maintained by the lottery commission for a period of one year from the date of filing and shall be open to public inspection.

IV. All financial records pertaining to the operation of keno games shall be maintained by the licensee and shall be made available to representatives of the lottery commission or of the commissioner of the department of safety upon request.

V. A licensee which has been licensed to conduct keno games shall maintain complete and accurate documentation of all revenues and expenses contained in the financial reports for at least 2 years from the date the financial report is filed.

284:49 Suspension; Revocation. The commission may suspend or revoke the license of any licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall not be

eligible for licensure for a period of up to one year from the date of revocation.

284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or revoke a keno license may apply to the commission for a rehearing within 15 business days of the decision. Rehearings and appeals shall be governed by RSA 541.

284:51 Local Option.

- I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:
- (a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.
- (b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.
- (c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"
- II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.
- III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.
- IV. A municipality that has voted to allow the operation of keno games may consider rescinding its action in the manner described in paragraph I of this section.
 - V. The lottery commission shall maintain a list of municipalities where keno is available.
- 17 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:
- (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, **RSA 284:44**, **RSA 284:47**, and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.
- 18 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:
- (k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:47, relative to keno profits.
 - (1) Any other moneys appropriated from the general fund.
 - 19 Effective Date.
 - I. Section 2 of this act shall take effect July 1, 2017.
 - II. Section 15 of this act shall take effect December 1, 2017.
 - III. Sections 16-19 of this act shall take effect January 1, 2017.
 - IV. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill also allows veterans who are New Hampshire residents to receive services under the New Hampshire health protection program.

This bill also:

I. Allows the operation and playing of keno games.

II. Provides for licensing of keno game operators by the lottery commission.

III. Directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

Reps. Hoell and Lynne Ober spoke in favor.

Rep. Umberger spoke against.

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 126 NAYS 233

YEAS - 126 BELKNAP

CARROLL

	 				
Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Howard, Jr., Raymond		
Sylvia, Michael	Vadney, Herbert				

Avellani, Lino Cordelli, Glenn

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin Tilton, Benjamin

COOS

Rideout, Leon Tholl, John

GRAFTON

Brown, Duane Gionet, Edmond Hennessey, Erin Hull, Robert Indbretson, Paul Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard Ammon, Keith Balcom, John Adams, Christopher Byron, Frank Biggie, Barbara Boehm, Ralph Burt, John Edelblut, Frank Christensen, Chris Christie, Rick Donovan, Daniel Flanagan, Jack Gagne, Larry Estevez, Eric Ferreira, Elizabeth Hansen, Peter Hogan, Edith Kurk, Neal Gould, Linda Moore, Josh McLean, Mark Marston, Dick McClarren, Donald O'Brien, William Notter, Jeanine Murotake, David Murphy, Keith Ober, Russell Ohm, Bill Palmer, Barry Ober, Lynne Rice, Kimberly Rouillard, Claire Pellegrino, Anthony Peterson, Ken Smith, Gregory Simmons, Tammy Silva, Peter Seidel, Carl Sweeney, Shawn Twombly, Timothy Stepanek, Stephen Sullivan, Victoria Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kuch, Bill Martin, John McGuire, Carol
McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Bates, David Abrami, Patrick Abramson, Max Baldasaro, Alfred Dean-Bailey, Yvonne Chirichiello, Brian Christie. Andrew Bush, Carol Duarte, Joe Emerick, J. Tracy Doucette, Fred DeSimone, Debra Hodgdon, Bruce Gordon, Richard Green, Dennis Gannon, William Kolodziei, Walter Katsakiores, Phyllis Itse. Daniel Kappler, Lawrence Osborne, Jason Major, Norman O'Connor, John Lundgren, David Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Potucek, John Thomas, Douglas True. Chris Spillane, James Sweeney, Joe Ward, Joanne Webb, James Vose, Michael Tucker, Pamela Weyler, Kenneth Welch, David

	ST	RAFFORD	
Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Pitre, Joseph	Turcotte, Leonard		
	SI	ULLIVAN	
Rollins, Skip			
	3. 7	1 X/C 000	
		AYS - 233	
	В	ELKNAP	
Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
LeBreche, Shari	Russell, David	Spanos, Peter	Tilton, Franklin
Varney, Peter	_		
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			
		HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy		COOS	
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Johnson, Eric	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HILL	SBOROUGH	
Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Belanger, James
Booras, Efstathia	Bouldin, Amanda	Brown, Pamela	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	Eastman, Eric	Forest, Armand	Freitas, Mary
Fromuth, Bart	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Haistead, Carolyn	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Jack, Martin	Jeudy, Jean	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	McNamara, Richard	O'Neil, William	Parison, James
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Rowe, Robert	Sanborn, Laurie	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert

MERRIMACK

Alicea, Caroletta Bartlett, Christy
Deloge, Helen Doherty, David
French, Barbara Gile, Mary

Wolf, Terry

Williams, Kermit

Bradley, Paula Ebel, Karen Henle, Paul Carson, Clyde Frazer, June Hess, David

Karrick, David Kenison, Linda Kidder, David Hirsch, Geoffrey Kotowski, Frank Long, Douglas Luneau, David MacKay, James Marple, Richard Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Azarian, Garv Barnes, Arthur Berrien, Skip Allen, Mary Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Chase, Francis Cook, Allen Cushing, Robert Devine, James DiFranco, Debbie Elliott. Robert Ferrante, Beverly Francese, Paula Friel, William Gordon, Pamela Griffin, Mary Guthrie, Joseph Hoelzel, Kathleen Introne, Robert Harris, Jeffrey Heffron, Frank Matthews, Carolyn McBeath, Rebecca McKinney, Betsy Lovejoy, Patricia McMahon, Charles Milz. David Nigrello, Robert Oligny, Jeffrey Packard, Sherman Pantelakos, Laura Peckham, Michele Simpson, Alexis Tilton, Rio Ward, Gerald Woitkun, Steven Sytek, John

STRAFFORD

Baber, William Berube, Roger Bickford, David Bixby, Peter Gardner, Janice Burton, Wavne Cilley, Jacalyn DiSesa, Len Kaen, Naida Leeman, Don Horrigan, Timothy Gray, James Mullen, John Schmidt, Peter Smith, Mariorie Rollo, Deanna Stevens, Audrey Southworth, Thomas Spang, Judith Sprague, Dale Ward, Kenneth Wuelper, Kurt Treleaven, Susan Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Schmidt, Andrew Smith, Steven

and floor amendment (0920h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Rideout spoke against and yielded to questions.

Reps. Hoell, Hannon, Sanborn, Dan McGuire and Burt spoke against.

Reps. Rosenwald and Stephen Schmidt spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 216 NAYS 145

YEAS - 216 BELKNAP

Fields, Dennis Flanders, Donald LeBreche, Shari Tilton, Franklin

CARROLL

 Buco, Thomas
 Butler, Edward
 Chandler, Gene
 Crawford, Karel

 McConkey, Mark
 Nelson, Bill
 Parker, Harold
 Schmidt, Stephen

 Ticehurst, Susan
 Umberger, Karen
 Wright, Ted

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Ley, Douglas Chase, Cynthia Eaton, Daniel Johnsen, Gladys Pearson, William Phillips, Larry Roberts, Kris Mann, John Shepardson, Marjorie Sterling, Franklin Robertson, Timothy Sad. Tara Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fotheraill, John Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert Thomas, Yvonne Richardson, Herbert Tholl, John GRAFTON Bennett, Travis Abel, Richard Almy, Susan Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Erin

Abel, Richard Almy, Susan Bennett, Travis Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Erin Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Balcom, John Belanger, James Booras, Efstathia Christiansen, Lars Christensen, Chris Cote, David Danielson, David Forest, Armand Freitas, Mary Goley, Jeffrey Gonzalez, Carlos Hansberry, Daniel Harvey, Suzanne Hinch, Richard Jack, Martin LeBrun, Donald Leishman, Peter Manley, Jonathan McCarthy, Peggy O'Neil, William Palmer, Barry Roberts, Carol Proulx, Mark Shattuck, Gilman Shaw, Barbara Soucy, Timothy Sullivan, Daniel

Baroody, Benjamin Bouldin, Amanda Cohen, Alan Edwards, Elizabeth Gargasz, Carolyn Gorman, Mary Heath, Mary Jeudy, Jean Long, Patrick McNamara, Richard Pierce, David Rosenwald, Cindy Smith, Timothy Takesian, Charlene Wolf, Terry Beaulieu, Jane Brown, Pamela Comell, Patricia Flanagan, Jack Gidge, Kenneth Guerette, C. Lee Herbert, Christopher Lachance, Joseph Mangipudi, Latha O'Brien, William Porter, Marjorie Rowe, Robert Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Karrick, David Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane

Walsh, Robert

Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda MacKay, James Ratzki, Mario Schuett, Dianne Wheeler, Deborah

Williams, Kermit

Bradley, Paula Ebel, Karen Henle, Paul Kidder, David Moffett, Howard Rice, Chip Shurtleff, Stephen

Carson, Clyde Frazer, June Hirsch, Geoffrey Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Azarian, Gary Cahill, Michael Christie, Andrew DiFranco, Debbie Friel, William Heffron, Frank Major, Norman Milz, David Simpson, Alexis Welch. David Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Gordon, Pamela
Hoelzel, Kathleen
Matthews, Carolyn
Nigrello, Robert
Sytek, John
Woitkun, Steven

Berrien, Skip Cardon, G. Thomas DeSimone, Debra Elliott, Robert Griffin, Mary Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Tilton. Rio Borden, David Chase, Francis Devine, James Francese, Paula Guthrie, Joseph Lovejoy, Patricia McMahon, Charles Pantelakos, Laura Ward, Gerald

STRAFFORD

Baber, William Burton, Wayne Gray, James Schmidt, Peter Sprague, Dale Ward, Kenneth Berube, Roger Cilley, Jacalyn Horrigan, Timothy Smith, Marjorie Stevens, Audrey Bickford, David DiSesa, Len Kaen, Naida Southworth, Thomas Treleaven, Susan Bixby, Peter Gardner, Janice Rollo, Deanna Spang, Judith Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Schmidt, Andrew Smith. Steven

NAYS - 145 BELKNAP

Aldrich, Glen Dumais, Russell Fisher, Robert Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond Hurt, George Spanos, Peter Sylvia, Michael Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

Hunt, John McConnell, James

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick

HILLSBOROUGH

Adams, Christopher Ammon, Keith Barry, Richard Biggie, Barbara Christie, Rick Boehm, Raiph Burt, John Byron, Frank Edelblut, Frank Donovan, Daniel Eastman, Eric Coffey, James Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gagne, Larry Gould, Linda Griffin, Barbara Haefner, Robert Halstead, Carolyn Hansen, Peter Hopper, Gary Infantine, William Hogan, Edith Kurk, Neal Marston, Dick McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Lynne Ober, Russell Ohm. Bill Parison, James Pellegrino, Anthony Peterson, Ken Rice, Kimberly Rouillard, Claire Sanborn, Laurie Schleien, Eric Seidel, Carl Silva, Peter Sullivan, Victoria Simmons, Tammy Smith, Gregory Stepanek, Stephen Sweeney, Shawn Twombly, Timothy Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hess, David Hill, Gregory
Hoell, J.R. Horn, Werner Kuch, Bill Long, Douglas
Marple, Richard Martin, John McGuire, Carol McGuire, Dan
Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Baldasaro, Alfred Bush, Carol Chirichiello, Brian Cook, Allen Bates, David Emerick, J. Tracv Ferrante, Beverly Dean-Bailey, Yvonne Duarte, Joe Gannon, William Gordon, Richard Green, Dennis Harris, Jeffrey Itse, Daniel Kappler, Lawrence Hodgdon, Bruce Introne, Robert Oligny, Jeffrey Osborne, Jason Kolodziej, Walter McKinney, Betsy Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Tucker, Pamela Vose, Michael Thomas, Douglas True, Chris Weyler, Kenneth Ward, Joanne Webb, James

STRAFFORD

Beaudoin, Steven DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Mullen, John Pitre, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider it action whereby, on a roll call vote of 216-145, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1696-FN**, requesting a modification of the New Hampshire health protection program.

Rep. Hinch spoke against.

Rep. William O'Brien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 146 NAYS 214

YEAS - 146 BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	Russell, David
Spanos, Peter	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	Parker, Harold	Wright, Ted	

CHESHIRE

Hunt, John McConnell, James

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Fric	Ladd Rick	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christie, Rick	Coffey, James	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gould, Linda
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Rice, Kimberly	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	

Guerette, C. Lee

Heath, Mary Jeudy, Jean Haefner, Robert

Herbert, Christopher

Lachance, Joseph

Gonzalez, Carlos Hansberry, Daniel

Hinch, Richard

LeBrun, Donald

Harvey, Suzanne

Leishman, Peter

Jack, Martin

	MERE	RIMACK	
Brewster, Michael Hoell, J.R. Marple, Richard Parent, Jason	French, Harold Horn, Werner Martin, John Seaworth, Brian	Hess, David Kuch, Bill McGuire, Carol Walsh, Thomas	Hill, Gregory Long, Douglas McGuire, Dan
	ROCK	INGHAM	
Abrami, Patrick Cook, Allen Ferrante, Beverly Green, Dennis Kappler, Lawrence Potucek, John Spillane, James Tucker, Pamela	Abramson, Max Dean-Bailey, Yvonne Friel, William Harris, Jeffrey Kolodziej, Walter Prudhomme-O'Brien, Katherine Sweeney, Joe Vose, Michael	Baldasaro, Alfred Duarte, Joe Gannon, William Hodgdon, Bruce Oligny, Jeffrey Rice, Frederick Thomas, Douglas Ward, Joanne	Bates, David Emerick, J. Tracy Gordon, Richard Itse, Daniel Osborne, Jason Schroadter, Adam True, Chris Weyler, Kenneth
	STRA	FFORD	
Beaudoin, Steven Hannon, Joseph Leeman, Don	DeLemus, Susan Jones, Laura Pitre, Joseph	Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard	Groen, Warren Knowles, Robert Wuelper, Kurt
	SUL	LIVAN	
Rollins, Skip	Smith, Steven		
	NAY	'S - 214	
	BEL	KNAP	
Fields, Dennis	Flanders, Donald	LeBreche, Shari	Tilton, Franklin
	CAR	RROLL	
Buco, Thomas Nelson, Bill	Butler, Edward Schmidt, Stephen	Crawford, Karel Ticehurst, Susan	McConkey, Mark Umberger, Karen
	CHE	SHIRE	
Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy Tatro, Bruce	Ames, Richard Eaton, Daniel Pearson, William Sad, Tara Tilton, Benjamin	Berch, Paul Johnsen, Gladys Phillips, Larry Shepardson, Marjorie Weber, Lucy	Bordenet, John Ley, Douglas Roberts, Kris Sterling, Franklin
	C	oos	
Fothergill, John Richardson, Herbert	Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne Thomas, Yvonne
	GRA	AFTON	
Abel, Richard Cooney, Mary Higgins, Patricia Smith, Suzanne	Almy, Susan Darrow, Stephen Maes, Kevin Sykes, George	Bennett, Travis Ford, Susan Massimilla, Linda Townsend, Charles	Brown, Rebecca Hennessey, Martha Piper, Wendy White, Andrew
	HILLSE	OROUGH	
Backus, Robert Booras, Efstathia Cohen, Alan Estevez, Eric Gidge, Kenneth	Baroody, Benjamin Brown, Pamela Cornell, Patricia Forest, Armand Goley, Jeffrey	Beaulieu, Jane Christensen, Chris Cote, David Freitas, Mary Gonzalez, Carlos	Belanger, James Christiansen, Lars Danielson, David Gargasz, Carolyn Gorman, Mary

Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy
McNamara, Richard	O'Neil, William	Palmer, Barry	Porter, Marjorie
Proulx, Mark	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	
	M	ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde

Doherty, David Ebel, Karen Deloge, Helen Frazer, June French, Barbara Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Kidder, David Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Allen, Marv Azarian, Garv Barnes, Arthur Berrien, Skip Borden, David Bush, Carol Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Chase, Francis Chirichiello, Brian Christie, Andrew Cushing, Robert Devine, James DiFranco, Debbie Doucette, Fred Elliott, Robert Francese, Paula Gordon, Pamela Griffin, Mary Guthrie, Joseph Heffron, Frank Hoelzel, Kathleen Introne, Robert Katsakiores, Phyllis Lovejoy, Patricia Major, Norman Matthews, Carolyn McBeath, Rebecca McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Packard, Sherman Pantelakos, Laura Peckham, Michele Simpson, Alexis Sytek, John Tilton, Rio Ward, Gerald Webb, James Welch, David Woitkun, Steven

STRAFFORD

Baber, William Berube, Roger Bickford, David Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gardner, Janice Gray, James Horrigan, Timothy Kaen, Naida Mullen, John Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Schmidt, Andrew

and the motion failed.

(Rep. Packard in the Chair) REGULAR CALENDAR CONT'D

HB 1178, relative to the taking of black bear assisted by a licensed guide. MAJORITY: INEX-PEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Douglas Long for the Majority of Fish and Game and Marine Resources. By administrative rule, the Department of Fish and Game currently issues up to 50 bear guide permits each year, with each allowed up to six bear baiting sites. This site limit has been in effect for 15 years. Each guide may also assist in the taking of up to six bears. Currently the success rate is 30%. No further bait sites or an increase in the take limit are needed. These limits should all remain in rules. When the quota is filled for bear kill, the department can shut down the season. The committee heard argument that this is a business issue. The majority felt that guides know the economics of their business when they open shop. The bill could also put the balance of the sportsmen at a disadvantage when it comes to bear harvest. The NH Guides Association, the NH Wildlife Federation, and the Department of Fish and Game all opposed this bill. Vote 11-2.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This is a business bill. It will allow guide businesses to book more hunters in a season, thereby bringing more revenue to the state not only in hunting licenses, but also in Meals and Rooms Tax, and it will generate business for these industries.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Webb spoke in favor.

Rep. Spillane spoke against and requested a roll call; sufficiently seconded.

YEAS 217 NAYS 122

YEAS - 217

	**		
	B	ELKNAP	
Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
LeBreche, Shari	Russell, David		
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	Nelson, Bill	Ticehurst, Susan	
	CI	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSROROUGH

	nill	nillsborougn		
Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane	
Biggie, Barbara	Booras, Efstathia	Brown, Pamela	Byron, Frank	
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia	
Cote, David	Donovan, Daniel	Edwards, Elizabeth	Flanagan, Jack	
Freitas, Mary	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey	
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee	
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	
Herbert, Christopher	Hinch, Richard	Infantine, William	Jack, Martin	
Jeudy, Jean	Kurk, Neal	Lachance, Joseph	Leishman, Peter	
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick	
McCarthy, Peggy	McNamara, Richard	Ober, Lynne	Ober, Russell	
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Porter, Marjorie	
Roberts, Carol	Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman	
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy	
Sullivan, Daniel	Sweeney, Shawn	Takesian, Charlene	Vann, Ivy	
Walsh, Robert	Williams, Kermit	Wolf, Terry		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Ebel, Karen	Frazer, June	Henle, Paul

	HOUSE JOUR	NAL MIARCH 9, 2010	
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Marple, Richard
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah
	RO	CKINGHAM	
Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cushing, Robert	Devine, James	Elliott, Robert	Ferrante, Beverly
Francese, Paula	Friel, William	Gordon, Pamela	Griffin, Mary
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Milz, David
O'Connor, John	Pantelakos, Laura	Peckham, Michele	Rice, Frederick
Simpson, Alexis	Sytek, John	Tilton, Rio	Ward, Gerald
Webb, James	Welch, David	Woitkun, Steven	
		RAFFORD	
Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Kaen, Naida	Mullen, John	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth
	S	ULLIVAN	
Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Laware, Thomas	Schmidt, Andrew	
	N	IAYS - 122	
	F	BELKNAP	
Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		
	C	CARROLL	
Avellani, Lino	Comeau, Ed	McCarthy, Frank	McConkey, Mark
Wright, Ted			
	C	HESHIRE	
McConnell, James	Roberts, Kris		
		COOS	
Rideout, Leon			
	G	GRAFTON	
Brown, Duane	Darrow, Stephen	Hull. Robert	Ingbretson, Paul
Johnson, Eric			ingbrotoon, r uur
	нии	SBOROUGH	
Adams, Christopher	Baroody, Benjamin	Belanger, James	Boehm, Ralph
Burt, John	Christiansen, Lars	Christie, Rick	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gould, Linda	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	LeBrun, Donald
McClarren Donald	Mclean Mark	Moore lock	Murataka David

McClarren, Donald

McLean, Mark

Moore, Josh

Murotake, David

Murphy, Keith	Notter, Jeanine	O'Brien, William	O'Neil, William
Ohm, Bill	Parison, James	Pierce, David	Rice, Kimberly
Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	

MERRIMACK

Brewster, Michael	Doherty, David	French, Harold	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Cook, Allen	Dean-Bailey, Yvonne	DiFranco, Debbie	Duarte, Joe
Emerick, J. Tracy	Gannon, William	Gordon, Richard	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Nigrello, Robert	Oligny, Jeffrey	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Spillane, James
Sweeney, Joe	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Weyler, Kenneth	

STRAFFORD

Cheney, Catherine	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	

SULLIVAN

Converse, Larry Rollins, Skip

and the majority committee report was adopted.

HB 1548-FN, prohibiting the trade of shark fins. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Ivy Vann for the Majority of Fish and Game and Marine Resources. The majority of the committee agrees with the Fish and Game Department that current law adequately prohibits the practice of shark finning in New Hampshire waters. Vote 10-2.

Rep. Jonathan Manley for the Minority of Fish and Game and Marine Resources. Shark fins should be illegal. Being able to take them from the animal once on shore is a loophole that needs attention.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Rogers spoke against.

Rep. Webb spoke in favor, yielded to questions and requested a roll call; not sufficiently seconded. On a division vote, with 238 members having voted in the affirmative, and 101 in the negative, the majority committee report was adopted.

HB 1310, establishing a commission to study health care for all residents of New Hampshire. REFER FOR INTERIM STUDY.

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee recognized the potential benefits of an in-depth study of alternative health coverage and delivery option for New Hampshire. However, the bill itself was incomplete. The committee expressed a commitment to further work on a bill that would promote a study of this timely issue. Vote 10-4. Committee report adopted.

HB 1420, relative to controlled drug prescription health and safety information. OUGHT TO PASS WITH AMENDMENT.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill strengthens the prescription drug-monitoring program (PDMP) and it allows authorized law enforcement officials quicker access when they have reason to investigate fraud. This bill does not allow anyone to have direct access to the PDMP. Prior authorization for law enforcement must be on a case-by-case basis and must comply with the law. Access may be denied. Vote 11-6.

Amendment (0833h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Controlled Drug Prescription Health and Safety; Definitions. Amend RSA 318-B:31 by inserting after paragraph IX the following new paragraph:

- X. "Law enforcement official" shall have the same meaning as in RSA 318-B:1, XIV-a. 2 Controlled Drug Prescription Health and Safety Program. Amend RSA 318-B:35, I(b)(3) to
- read as follows:

Forest, Armand

Gorman, Mary

Heath, Mary

- (3) Authorized law enforcement officials on a case-by-case basis for the purpose of investigation and prosecution of a criminal offense [when presented with a court order based on probable cause. No law enforcement agency or official shall have direct access to the program] pursuant to the following sections: RSA 318-B:2, V-VI; RSA 318-B:2, VIII; RSA 318-B:2, X; RSA 318-B:2, XII-a; RSA 318-B:21; or RSA 318-B:25. For the purpose of investigation and prosecution of a criminal offense under any other provision of RSA 318-B, law enforcement officials may receive information contained in the prescription health and safety program upon presentment of a court order based on probable cause. No law enforcement agency or official shall have direct access to the program or its database.
- 3 Effective Date. This act shall take effect January 1, 2017. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Weber spoke against and yielded to questions.

Rep. Joanne Ward spoke in favor and yielded to questions.

Freitas, Marv

Griffin, Barbara

Herbert, Christopher

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 155 NAYS 195

YEAS - 155 BELKNAP

Dumais, Russell Tilton, Franklin	Fields, Dennis Vadney, Herbert	Gallagher, Brian	Russell, David
		CARROLL	
Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark Umberger, Karen	Nelson, Bill	Parker, Harold	Schmidt, Stephen
		CHESHIRE	
Abbott, Michael	Chase, Cynthia	Eaton, Daniel	Mann, John
Pearson, William	Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie
Sterling, Franklin	Tilton, Benjamin		
		COOS	
Fothergill, John	Hatch, William	Richardson, Herbert	Theberge, Robert
Tholl, John	Thomas, Yvonne	·	•
		GRAFTON	
Cooney, Mary	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia Piper, Wendy	Ladd, Rick	Maes, Kevin	Massimilla, Linda
	HIL	LSBOROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Donovan, Daniel	Flanagan, Jack

Goley, Jeffrey

Haefner, Robert

Hinch, Richard

Gonzalez, Carlos

Hansberry, Daniel

Hogan, Edith

Townsend, Charles

White, Andrew

Infantine, William	LeBrun, Donald	Leishman, Peter	Long, Patrick
Marston, Dick	McCarthy, Peggy	McNamara, Richard	Notter, Jeanine
O'Neil, William	Ohm, Bill	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Sanborn, Laurie	Shattuck, Gilman	Snow, Kendall	Takesian, Charlene
Walsh, Robert	Williams, Kermit	Wolf, Terry	
	ME	CRRIMACK	
Alicea, Caroletta	Bradley, Paula	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hess, David	Horn, Werner
Karrick, David	Kenison, Linda	Kotowski, Frank	Luneau, David
Parent, Jason	Wallner, Mary Jane		
	ROC	CKINGHAM	
Abrami, Patrick	Azarian, Gary	Borden, David	Cahill, Michael
Cardon, G. Thomas	Chirichiello, Brian	Devine, James	DiFranco, Debbie
Doucette, Fred	Elliott, Robert	Emerick, J. Tracy	Francese, Paula
Friel, William	Griffin, Mary	Guthrie, Joseph	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis	Major, Norman
Matthews, Carolyn	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Pantelakos, Laura	Potucek, John	Rice, Frederick
Schroadter, Adam	Simpson, Alexis	Sytek, John	Tilton, Rio
Ward, Joanne	Weyler, Kenneth		
	ST	RAFFORD	
Bickford, David	Bixby, Peter	DiSesa, Len	Gardner, Janice
Gray, James	Kaen, Naida	Mullen, John	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Stevens, Audrey
Wuelper, Kurt	,		•
	S	ULLIVAN	
Cloutier, John	Converse, Larry	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Schmidt, Andrew	Smith, Steven	
	N	AYS - 195	
	В	BELKNAP	
Aldrich, Glen	Fisher, Robert	Flanders, Donald	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Spanos, Peter
Sylvia, Michael	Varney, Peter		
	C	CARROLL	
Avellani, Lino	Buco, Thomas	Comeau, Ed	McCarthy, Frank
Ticehurst, Susan	Wright, Ted	,	•
,	-	HESHIRE	
Ames, Richard	Berch, Paul	Bordenet, John	Hunt, John
Johnsen, Gladys	Ley, Douglas	McConnell, James	Roberts, Kris
Sad. Tara	Weber, Lucy	Mocornion, dames	11000110, 11110
Odu, Tara	Wood, Lucy	~~~	
	A.A	COOS	Dideout Loop
Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence	Rideout, Leon
	_	GRAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Duane
Brown, Rebecca	Darrow, Stephen	Ford, Susan	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Smith, Suzanne	Sykes, George
Townsond Charles	White Andrew		

HILLSBOROUGH

Adams, Christopher Ammon, Keith Bouldin, Amanda Burt, John Christiansen, Lars Christie, Rick Danielson, David Eastman, Eric Estevez, Eric Ferreira, Elizabeth Gidge, Kenneth Gould, Linda Hansen, Peter Harvey, Suzanne Jeudy, Jean Kurk, Neal Manley, Jonathan McClarren, Donald Murotake, David Murphy, Keith Ober, Russell Parison, James Rosenwald, Cindy Rouillard, Claire Seidel, Carl Shaw, Barbara Smith, Timothy Soucy, Timothy Sweeney, Shawn Twombly, Timothy Zaricki, Nick

Biggie, Barbara
Byron, Frank
Coffey, James
Edelblut, Frank
Fromuth, Bart
Guerette, C. Lee
Hopper, Gary
Lachance, Joseph
McLean, Mark
O'Brien, William
Peterson, Ken
Rowe, Robert
Simmons, Tammy
Sullivan, Daniel
Ulery, Jordan

Boehm, Ralph Christensen, Chris Cote, David Edwards, Elizabeth Gagne, Larry Halstead, Carolyn Jack, Martin Mangipudi, Latha Moore, Josh Ober, Lynne Rice, Kimberly Schleien, Eric Smith, Gregory Sullivan, Victoria Vann, Ivy

MERRIMACK

Bartlett, Christy Doherty, David Kidder, David Marple, Richard Moffett, Howard Rice, Chip Shurtleff, Stephen Brewster, Michael French, Harold Kuch, Bill Martin, John Myler, Mel Saunderson, George Turcotte, Alan Carson, Clyde Hill, Gregory Long, Douglas McGuire, Carol Patten, Dick Schuett, Dianne Wheeler, Deborah

Deloge, Helen Hoell, J.R. MacKay, James McGuire, Dan Ratzki, Mario Seaworth, Brian

ROCKINGHAM

Abramson, Max Bates, David Chase, Francis Dean-Bailey, Yvonne Gordon, Pamela Hodgdon, Bruce Lovejoy, Patricia Osborne, Jason Sweeney, Joe Vose, Michael Allen, Mary Berrien, Skip Christie, Andrew Duarte, Joe Gordon, Richard Itse, Daniel McBeath, Rebecca Peckham, Michele Thomas, Douglas Ward, Gerald

Baldasaro, Alfred Bush, Carol Cook, Allen Ferrante, Beverly Green, Dennis Kappler, Lawrence McKinney, Betsy Prudhomme-O'Brien, Katherine True, Chris Webb, James Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Gannon, William
Harris, Jeffrey
Kolodziej, Walter
Oligny, Jeffrey
Spillane, James
Tucker, Pamela
Welch, David

STRAFFORD

Baber, William
DeLemus, Susan
Horrigan, Timothy
Leeman, Don
Treleaven, Susan

Woitkun, Steven

Burton, Wayne Graham, Robert Jones, Laura Pitre, Joseph Turcotte, Leonard

Cheney, Catherine Groen, Warren Kaczynski, Jr., Thomas Southworth, Thomas Wall, Janet Cilley, Jacalyn Hannon, Joseph Knowles, Robert Sprague, Dale

SULLIVAN

Gagnon, Raymond Lawar

Laware, Thomas

Rollins, Skip

and the committee report failed.

Rep. Rosenwald moved Inexpedient to Legislate.

On a division vote, with 286 members having voted in the affirmative, and 64 in the negative, the motion was adopted.

HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. James MacKay for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee felt that the orderly process followed by the NH Department of Health and Human Services in implementing the medical cannabis legislation has been done in a careful and thoughtful

way. It is felt that the opening of the dispensaries is eminent. The Cannabis Advisory Council will assume the responsibility of evaluating the effectiveness of this program. Needed modification will be considered for future legislation including these in this legislation. Vote 9-6.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. Members of the minority were persuaded that the symptoms of ulcerative colitis are very similar to the symptoms of Crohn's disease, which is already included in the list of qualifying medical conditions. Thus, we believe it would be unfair to afford relief to one group of patients and not to the other.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Luneau spoke against.

Rep. MacKay spoke in favor and yielded to questions.

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 89 NAYS 257

YEAS - 89 BELKNAP

	I	BELKNAP			
Dumais, Russell Spanos, Peter	Fields, Dennis Tilton, Franklin	Flanders, Donald	Russell, David		
Opa.100 , 1 0.01	CARROLL				
Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark		
Nelson, Bill	Schmidt, Stephen	Umberger, Karen			
	C	CHESHIRE			
Eaton, Daniel	Hunt, John	Johnsen, Gladys			
		COOS			
Richardson, Herbert	Tholl, John				
	(GRAFTON			
Brown, Duane	Ladd, Rick	Piper, Wendy			
	HIL	LSBOROUGH			
Barry, Richard	Biggie, Barbara	Byron, Frank	Cote, David		
Flanagan, Jack	Forest, Armand	Goley, Jeffrey	Gonzalez, Carlos		
Gorman, Mary	Griffin, Barbara	Haefner, Robert	Hansberry, Daniel		
Hinch, Richard	Kurk, Neal	LeBrun, Donald	Leishman, Peter		
Mangipudi, Latha	Marston, Dick	McClarren, Donald	Palmer, Barry		
Seidel, Carl	MERRIMACK				
Deloge, Helen	Frazer, June	Henle, Paul	Hess, David		
Kenison, Linda	Kidder, David	Kotowski, Frank	Long, Douglas		
MacKay, James	Marple, Richard	Rice, Chip	Walsh, Thomas		
	RO	CKINGHAM			
Abrami, Patrick	Allen, Mary	Chase, Francis	Devine, James		
Elliott, Robert	Ferrante, Beverly	Francese, Paula	Friel, William		
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph		
Harris, Jeffrey	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert		
Major, Norman	Matthews, Carolyn	McMahon, Charles	Milz, David		
Pantelakos, Laura	Tilton, Rio	Ward, Joanne	Welch, David		
Weyler, Kenneth	O.	ED A EECODD			
		TRAFFORD	_		
Bickford, David	Gardner, Janice	Graham, Robert	Leeman, Don		
Mullen, John	Smith, Marjorie	Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Smith, Steven

Cloutier, John

NAYS - 257 BELKNAP

Aldrich, Glen Hurt, George Varney, Peter Fisher, Robert LeBreche, Shari Fraser, Valerie Sylvia, Michael Gallagher, Brian Vadney, Herbert

CARROLL

Avellani, Lino McCarthy, Frank Buco, Thomas Parker, Harold

Ames, Richard

Butler, Edward Ticehurst, Susan

Comeau, Ed Wright, Ted

CHESHIRE

Abbott, Michael Chase, Cynthia Pearson, William Sad. Tara

Ley, Douglas Phillips, Larry Shepardson, Marjorie Tilton, Benjamin Weber, Lucy

Berch, Paul Mann, John Roberts, Kris Sterling, Franklin Bordenet, John McConnell, James Robertson, Timothy Tatro, Bruce

COOS

Fothergill, John Rappaport, Laurence Froburg, Alethea Rideout, Leon

Hatch, William Theberge, Robert Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel. Richard Cooney, Mary Hennessey, Erin Ingbretson, Paul Smith, Suzanne

Almy, Susan Darrow, Stephen Hennessey, Martha Johnson, Eric Sykes, George

Bennett, Travis Ford, Susan Higgins, Patricia Maes, Kevin Townsend, Charles

Brown, Rebecca Gionet, Edmond Hull, Robert Massimilla, Linda White, Andrew

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Booras, Efstathia Christensen, Chris Cohen, Alan Eastman, Eric Ferreira, Elizabeth Gidge, Kenneth Harvey, Suzanne Hopper, Gary Lachance, Joseph McLean, Mark Murphy, Keith Ober, Lynne Peterson, Ken Rice, Kimberly Rowe, Robert Shaw, Barbara Snow, Kendall

Ammon, Keith Beaulieu, Jane Bouldin, Amanda Christiansen, Lars Cornell, Patricia Edelblut, Frank Freitas, Mary Gould, Linda Heath, Mary Infantine, William Long, Patrick McNamara, Richard Notter, Jeanine Ober, Russell Pierce, David Roberts, Carol Sanborn, Laurie Simmons, Tammy Soucy, Timothy Takesian, Charlene Walsh, Robert

Backus, Robert Belanger, James Brown, Pamela Christie, Rick Danielson, David Edwards, Elizabeth Fromuth, Bart Guerette, C. Lee Herbert, Christopher Jack, Martin Manley, Jonathan Moore, Josh O'Brien, William Ohm, Bill Porter, Marjorie Rosenwald, Cindy Schleien, Eric Smith, Gregory Sullivan, Daniel Twombly, Timothy Williams, Kermit

Balcom, John Boehm, Ralph Burt, John Coffey, James Donovan, Daniel Estevez, Eric Gagne, Larry Halstead, Carolyn Hogan, Edith Jeudy, Jean McCarthy, Peggy Murotake, David O'Neil, William Parison, James Proulx, Mark Rouillard, Claire Shattuck, Gilman Smith, Timothy Sullivan, Victoria Ulery, Jordan Wolf, Terry

MERRIMACK

Alicea. Caroletta Carson, Clyde Gile, Mary Karrick, David McGuire, Carol

Sweeney, Shawn

Vann, Ivy

Zaricki, Nick

Bartlett, Christy Doherty, David Hill, Gregory Kuch, Bill McGuire. Dan

Bradley, Paula Ebel, Karen Hoell, J.R. Luneau, David Moffett, Howard Brewster, Michael French, Harold Horn, Werner Martin, John Myler, Mel

Rogers, Katherine Shurtleff, Stephen

Parent, Jason Patten, Dick Ratzki, Mario Schuett, Dianne Seaworth, Brian Saunderson, George Wheeler, Deborah Turcotte, Alan Wallner, Mary Jane

ROCKINGHAM

Azarian, Garv Baldasaro, Alfred Barnes, Arthur Abramson, Max Borden, David Bush, Carol Berrien, Skip Bates, David Cali-Pitts, Jacqueline Cardon, G. Thomas Chirichiello, Brian Cahill, Michael Dean-Bailey, Yvonne Cushing, Robert Christie. Andrew Cook, Allen Emerick, J. Tracy Doucette, Fred Duarte, Joe DiFranco, Debbie Green, Dennis Hodgdon, Bruce Itse. Daniel Gordon, Pamela Loveiov. Patricia Katsakiores, Phyllis Kolodziej, Walter Kappler, Lawrence Oligny, Jeffrey Nigrello, Robert O'Connor, John McBeath, Rebecca Prudhomme-O'Brien, Katherine Osborne, Jason Peckham, Michele Potucek, John Schroadter, Adam Simpson, Alexis Spillane, James Rice. Frederick Sytek, John Thomas, Douglas True, Chris Sweeney, Joe Ward, Gerald Webb, James Tucker, Pamela Vose, Michael

STRAFFORD

Bixby, Peter Burton, Wayne Cheney, Catherine Baber, William DeLemus, Susan DiSesa, Len Gray, James Cilley, Jacalyn Horrigan, Timothy Jones, Laura Groen, Warren Hannon, Joseph Knowles, Robert Pitre, Joseph Kaen, Naida Kaczynski, Jr., Thomas Southworth, Thomas Spang, Judith Rollo, Deanna Schmidt, Peter Wall, Janet Treleaven, Susan Sprague, Dale Stevens, Audrey

SULLIVAN

Irwin, Virginia Gagnon, Raymond Gottling, Suzanne Converse, Larry

Laware, Thomas Rollins, Skip and the majority committee report failed.

Rep. Weber moved the minority committee report of Ought to Pass. Minority committee report adopted and ordered to third reading.

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James MacKay for the Majority of Health, Human Services and Elderly Affairs. This bill as amended prohibits the use of natural latex gloves and utensils in food preparation at licensed food service establishments or licensed retail stores. The American Latex Allergy Association reported that more than 3 million people have been diagnosed with an allergy to latex. That allergy can range from mild itching, redness and swelling to life threatening anaphylactic shock. Alternatives to latex gloves are readily available for restaurant suppliers and are less expensive. Legislation extends the effective date to allow food service establishments to make the change. Food establishments that continue to use latex gloves give no choice to their clients. Vote 16-2.

Rep. Joanne Ward for the Minority of Health, Human Services and Elderly Affairs. This bill would prevent the food service industry from using any latex gloves or utensils because of the risk to people with latex allergies. Allergies can be very serious but does this require a mandate. Vinyl gloves are less expensive than latex and many establishments have switched over voluntarily. Should this be mandated or handled through education and licensing?

Majority Amendment (0258h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Latex Prohibited. Amend RSA 143-A by inserting after section 9-b the following new section:

143-A:9-c Latex Prohibited. No person licensed under this chapter shall use or allow the use of disposable, non-sterile, or sterile natural rubber latex gloves or utensils in food preparation at a licensed food service establishment or licensed food retail store. Any person who violates this section shall be guilty of a violation and shall pay a fine of not less than \$250 and not more than \$500.

2 Effective Date. This act shall take effect June 30, 2017.

Majority committee amendment adopted.

Tilton, Franklin

Porter, Marjorie

Sullivan, Daniel

Williams, Kermit

Shattuck, Gilman

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Burt requested a roll call; sufficiently seconded.

YEAS 180 NAYS 162

YEAS - 180 BELKNAP

Russell, David

Varney, Peter CARROLL

Chandler, Gene Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Schmidt, Stephen Ticehurst, Susan Umberger, Karen Wright, Ted

CHESHIRE

LeBreche, Shari

Fields, Dennis

Proulx, Mark

Smith, Timothy

Takesian, Charlene

Abbott, Michael Ames, Richard Berch, Paul Chase, Cynthia Eaton, Daniel Johnsen, Gladys Lev. Douglas Mann, John Pearson, William Phillips, Larry Robertson, Timothy Sad. Tara Shepardson, Mariorie Sterling, Franklin Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Rappaport, Laurence Richardson, Herbert Tholi, John

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Gionet, Edmond Hennessey, Martha Higgins, Patricia Ladd, Rick Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Peterson, Ken

Rosenwald, Cindy

Soucy, Timothy

Walsh, Robert

Backus, Robert Balcom, John Baroody, Benjamin Belanger, James Booras, Efstathia Brown, Pamela Byron, Frank Christensen, Chris Christiansen, Lars Cohen, Alan Cornell, Patricia Cote, David Donovan, Daniel Forest, Armand Freitas, Mary Gidge, Kenneth Golev, Jeffrey Guerette, C. Lee Haefner, Robert Hansberry, Daniel Harvey, Suzanne Hinch, Richard Hopper, Gary Infantine, William Jack, Martin Kurk, Neal LeBrun, Donald Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Neil, William Palmer, Barry

Vann, Ivv MERRIMACK

Roberts, Carol

Snow, Kendall

Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June Gile, Mary Henle, Paul Karrick, David Kenison, Linda Kidder, David Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Walsh, Thomas

Wheeler, Deborah ROCKINGHAM

Allen, Marv Berrien, Skip Borden, David Bush, Carol Cahill, Michael Cardon, G. Thomas Christie, Andrew Cook, Allen Cushing, Robert Devine, James DiFranco, Debbie Doucette, Fred

Seaworth, Brian

Elliott, Robert Guthrie, Joseph Major, Norman Nigrello, Robert	Ferrante, Beverly Heffron, Frank Matthews, Carolyn Pantelakos, Laura	Friel, William Hoelzel, Kathleen McBeath, Rebecca Simpson, Alexis	Gordon, Pamela Lovejoy, Patricia McMahon, Charles Tilton, Rio
Ward, Gerald	ST	RAFFORD	
Baber, William Cilley, Jacalyn Kaen, Naida Southworth, Thomas Treleaven, Susan	Bickford, David DiSesa, Len Rollo, Deanna Spang, Judith Wall, Janet	Bixby, Peter Gardner, Janice Schmidt, Peter Sprague, Dale	Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey
	S	ULLIVAN	
Cloutier, John	Converse, Larry	Gottling, Suzanne	Smith, Steven
	N	AYS - 162	
	-	BELKNAP	
Aldrich, Glen	Dumais, Russell	Fisher, Robert	Flanders, Donald
Fraser, Valerie Sylvia, Michael	Gallagher, Brian Vadney, Herbert	Hurt, George	Spanos, Peter
	C	CARROLL	
Avellani, Lino Cordelli, Glenn	Buco, Thomas Parker, Harold	Butler, Edward	Comeau, Ed
	C	HESHIRE	
Bordenet, John	Hunt, John	McConnell, James	Roberts, Kris
		coos	
Moynihan, Wayne	Rideout, Leon	Theberge, Robert	Thomas, Yvonne
	G	GRAFTON	
Brown, Duane	Brown, Rebecca	Darrow, Stephen	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Piper, Wendy
	HILI	LSBOROUGH	
Adams, Christopher	Ammon, Keith	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Christie, Rick	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Griffin, Barbara	Halstead, Carolyn	Hansen, Peter
Heath, Mary	Hogan, Edith	Jeudy, Jean	Lachance, Joseph
Marston, Dick	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Russell	Ohm, Bill	Parison, James
Pellegrino, Anthony	Pierce, David	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Shaw, Barbara	Smith, Gregory	Sullivan, Victoria	Sweeney, Shawn
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	
		ERRIMACK	
Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
SAGMORD REGE			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Chase, Francis
Chirichiello, Brian	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Francese, Paula	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Milz, David	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Cheney, Catherine	DeLemus, Susan	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mulien, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Gagnon, Raymond Irwin, Virginia Laware, Thomas Rollins, Skip and the majority committee report was adopted and ordered to third reading.

HB 1629-FN, relative to disqualifying members of certain groups from receiving public assistance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Pamela Gordon for the Majority of Health, Human Services and Elderly Affairs. This bill would prohibit any individual who has membership in, or who supports any organization from receiving public assistance. As well intentioned as this proposed legislation is to protect NH citizens against the use of public funds to inadvertently fund terrorist activities, this bill fails to accomplish the intended goal. The bill is unconstitutional as it prohibits benefits based on membership in a group, which is protected by the First Amendment, even if the group engages in abhorrent activities. Vote 12-5. Rep. Donald LeBrun for the Minority of Health, Human Services and Elderly Affairs. When an individual is designated to the terrorist list they should not be allowed to benefit from public programs such as welfare, medical aid or food stamps. We should not be rewarding those individuals that are identified as not wishing to be a productive part of our culture.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Timothy Smith requested a roll call; not sufficiently seconded.

On a division vote, with 279 members having voted in the affirmative, and 62 in the negative, the majority committee report was adopted.

HB 1690-FN, extending the New Hampshire health protection program. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Stephen Schmidt for the Majority of Health, Human Services and Elderly Affairs. The majority position was that a similar bill, HB 1696, requesting a modification of the New Hampshire health protection program provided a sunsetted extension of the New Hampshire Health Protection Plan as well as a funding mechanism for those dollars not reimbursed by the federal government at no cost to the New Hampshire taxpayer. HB 1696 also contained language protecting the New Hampshire taxpayer should the federal government renege on their financial support. The majority, for the aforementioned reasons, found this bill Inexpedient to Legislate in favor of HB 1696. Vote 9-8. Rep. Thomas Sherman for the Minority of Health, Human Services and Elderly Affairs. This bill repeals the sunset and reauthorization requirement for the New Hampshire Health Protection Program. By all measures, the program has been a success bringing health coverage to more than 47,000 New Hampshire residents. It has saved more than \$150 million in uncompensated care costs. With its influx of more than \$400 million in federal funds, it represents one of the very few sources of significant new revenue with which to address the addiction and opioid crisis in our state. With these successes and taxpayer circuit breakers in place, the NHPPP should be allowed to continue without sunset.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Weber requested a roll call; sufficiently seconded.

Piper, Wendy

Smith, Gregory

Ulery, Jordan

YEAS 211 NAYS 128

YEAS - 211 BELKNAP

Aldrich, Glen Dumais, Russell Fields. Dennis Fisher, Robert Gallagher, Brian Howard, Jr., Raymond Flanders, Donald Fraser, Valerie Hurt, George LeBreche, Shari Russell, David Spanos, Peter Sylvia, Michael Tilton, Franklin Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Buco, Thomas Comeau, Ed Cordelli, Glenn
Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill
Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin

Sullivan, Victoria

Walsh, Robert

COOS

Fothergill, John Rappaport, Laurence Richardson, Herbert Rideout, Leon

Tholl, John

GRAFTON

Brown, Duane Darrow, Stephen Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick

HILLSBOROUGH

Ammon, Keith Adams, Christopher Belanger, James Biggie, Barbara Byron, Frank Christensen, Chris Danielson, David Coffey, James Edwards, Elizabeth Estevez, Eric Forest, Armand Fromuth, Bart Haefner, Robert Griffin, Barbara Hinch, Richard Hogan, Edith Lachance, Joseph LeBrun, Donald McClarren, Donald McCarthy, Peggy Murotake, David Murphy, Keith Ober, Russell Ohm. Bill Pellegrino, Anthony Peterson, Ken Rouillard, Claire Rice, Kimberly Schleien, Eric Seidel, Carl

Balcom, John Boehm, Ralph Christiansen, Lars Eastman, Eric Ferreira, Elizabeth Gagne, Larry Halstead, Carolyn Hopper, Gary Leishman, Peter McLean, Mark Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Shaw, Barbara Sweeney, Shawn Wolf, Terry

Barry, Richard Burt, John Christie, Rick Edelblut, Frank Flanagan, Jack Gould, Linda Hansen, Peter Kurk, Neal Marston, Dick Moore, Josh O'Brien, William Parison, James Proulx, Mark Sanborn, Laurie Simmons, Tammy Takesian, Charlene Zaricki. Nick

MERRIMACK

Deloge, Helen French, Harold Hill, Gregory Brewster, Michael Horn, Werner Kotowski, Frank Kuch, Bill Hoell, J.R. Marple, Richard Martin, John Long, Douglas MacKay, James McGuire, Carol McGuire, Dan Parent, Jason Rice, Chip Walsh, Thomas Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Abramson, Max Allen, Mary Azarian, Gary Barnes, Arthur Bates, David Bush, Carol Baldasaro, Alfred Chase, Francis Chirichiello, Brian Christie, Andrew Cardon, G. Thomas Cook, Allen Dean-Bailey, Yvonne Devine, James Doucette, Fred Duarte, Joe Elliott, Robert Emerick, J. Tracy Ferrante, Beverly

Shurtleff, Stephen

	HOUSE JOURNA	AL MARCH 9, 2016	
Friel, William Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis McMahon, Charles Oligny, Jeffrey Prudhomme-O'Brien, Katherine Sweeney, Joe True, Chris Webb, James	Gannon, William Guthrie, Joseph Introne, Robert Kolodziej, Walter Milz, David Osbome, Jason Rice, Frederick Sytek, John Tucker, Pamela Welch, David	Gordon, Richard Harris, Jeffrey Itse, Daniel Major, Norman Nigrello, Robert Peckham, Michele Schroadter, Adam Thomas, Douglas Vose, Michael Weyler, Kenneth	Green, Dennis Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn O'Connor, John Potucek, John Spillane, James Tilton, Rio Ward, Joanne Woitkun, Steven
	STR	AFFORD	
Bickford, David Graham, Robert Jones, Laura Mullen, John Turcotte, Leonard	Cheney, Catherine Gray, James Kaczynski, Jr., Thomas Pitre, Joseph Wuelper, Kurt	DeLemus, Susan Groen, Warren Knowles, Robert Schmidt, Peter	Gardner, Janice Hannon, Joseph Leeman, Don Smith, Marjorie
		LLIVAN	
Rollins, Skip	Smith, Steven		
	NA	YS - 128	
	CA	RROLL	
Butler, Edward	Ticehurst, Susan		
	СН	ESHIRE	
Abbott, Michael Chase, Cynthia Pearson, William Sad, Tara Weber, Lucy	Ames, Richard Johnsen, Gladys Phillips, Larry Shepardson, Marjorie	Berch, Paul Ley, Douglas Roberts, Kris Tatro, Bruce	Bordenet, John Mann, John Robertson, Timothy Tilton, Benjamin
rrobol, Eddy		COOS	
Froburg, Alethea Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Theberge, Robert
momas, rvonne	GR	RAFTON	
Abel, Richard Cooney, Mary Maes, Kevin Townsend, Charles	Almy, Susan Ford, Susan Massimilla, Linda White, Andrew	Bennett, Travis Hennessey, Martha Smith, Suzanne	Brown, Rebecca Higgins, Patricia Sykes, George
	HILLS	BOROUGH	
Baroody, Benjamin Cohen, Alan Freitas, Mary Gorman, Mary Heath, Mary Mangipudi, Latha Porter, Marjorie Snow, Kendall Williams, Kermit	Beaulieu, Jane Cornell, Patricia Gidge, Kenneth Guerette, C. Lee Jack, Martin Manley, Jonathan Roberts, Carol Soucy, Timothy	Bouldin, Amanda Cote, David Goley, Jeffrey Hansberry, Daniel Jeudy, Jean McNamara, Richard Rosenwald, Cindy Sullivan, Daniel	Brown, Pamela Donovan, Daniel Gonzalez, Carlos Harvey, Suzanne Long, Patrick O'Neil, William Smith, Timothy Vann, Ivy
· · · · · · · · · · · · · · · · · · ·	MER	RRIMACK	
Alicea, Caroletta Doherty, David Henle, Paul Moffett, Howard	Bartlett, Christy Ebel, Karen Karrick, David Myler, Mel	Bradley, Paula Frazer, June Kenison, Linda Patten, Dick	Carson, Clyde Gile, Mary Luneau, David Ratzki, Mario

Rogers, Katherine

Turcotte, Alan

Saunderson, George

Wallner, Mary Jane

Schuett, Dianne

Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Pantelakos, Laura Simpson. Alexis Ward. Gerald

STRAFFORD

Baber, WilliamBixby, PeterBurton, WayneCilley, JacalynDiSesa, LenHorrigan, TimothyKaen, NaidaRollo, DeannaSouthworth, ThomasSpang, JudithSprague, DaleStevens, Audrey

Treleaven, Susan Wall, Janet SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne

Irwin, Virginia Laware, Thomas

and the majority committee report was adopted.

CACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. **WITHOUT RECOMMENDATION**.

Statement in Support of Ought to Pass with Amendment: This resolution as amended will amend Part Second Article 73-a of the New Hampshire Constitution. Under the current wording of Article 73-a if the Supreme Court created a court rule which would conflict with statute, it is unclear which would have superior authority. This resolution would establish that in the event of conflict between court-created rule and statute, statute shall prevail. The Supreme Court has found in the case of State of New Hampshire v. Shawn Carter, that "statutory enactments prevail over conflicting court rules." This resolution seeks to enshrine this ruling in the New Hampshire Constitution, thus preventing any potential conflict in the future.

Rep. Robert Hull.

Statement in Support of Inexpedient to Legislate: This resolution attempts to clarify and/or establish the primacy of the legislature in court rulemaking. The resolution makes it clear that in case of conflict between a court rule and a statute, the statute will prevail. However, after an exhaustive review of the meaning of our separation of powers clause, the Supreme Court agrees, but with an important exception. The legislature may not impinge on the court's "core adjudicatory function" that is "to resolve cares fairly and impartially and to protect the constitutional rights of all persons who come before the courts." This resolution does not make this distinction and thus goes too far.

Rep. David Woodbury.

Rep. Hull moved Ought to Pass and offered floor amendment (0121h).

Floor Amendment (0121h)

Amend the title of the resolution by replacing it with the following:

RELATING TO: the administrative head of the courts.

PROVIDING THAT: the chief justice of the supreme court shall make rules governing all courts

in the state but if such rules conflict with statute, statute shall prevail.

Amend the resolution by replacing paragraph I with the following:

I. That article 73-a of the second part of the constitution be amended to read as follows:

[Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. [He] The chief justice shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law, provided that if such rules conflict with statute, statute shall prevail. Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending article 73-a of the second part of the constitution to read as follows: [Art.] 73-a. [Supreme Court, Administration.] The chief justice of the supreme court shall be the administrative head of all the courts. [He] The chief justice shall, with the concurrence of a majority of the supreme court justices, make rules governing the administration of all courts in the state and the practice and procedure to be followed in all such courts. The rules so promulgated shall have the force and effect of law, provided that if such rules conflict with statute, statute shall prevail."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that if rules promulgated by the chief justice of the supreme court conflict with state statutes, state statutes shall prevail.

Rep. Hull spoke in favor.

Floor amendment (0121h) failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Horrigan spoke against.

MOTION TO LAY ON THE TABLE

Rep. Rowe moved that CACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts, be laid on the table.

Rep. Groen requested a roll call; not sufficiently seconded.

On a division vote, with 244 members having voted in the affirmative, and 47 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

CACR 22, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental and shall not be restricted unless the government demonstrates a compelling state interest. OUGHT TO PASS WITH AMENDMENT.

Rep. Kurt Wuelper for Judiciary. This resolution as amended proposes to formalize the right to privacy as a fundamental constitutional right. The majority agreed that having this right explicit in the New Hampshire Constitution would be an important safeguard to this right. Vote 12-8.

Amendment (0817h)

Amend the title of the resolution by replacing it with the following:

RELATING TO: the right to privacy.

PROVIDING THAT: an individual's right to live free from governmental interference is fundamental. Amend the resolution by replacing paragraph I with the following:

- I. That the first part of the constitution be amended by inserting after article 2-a the following new article:
- [Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental interference in private or personal matters is fundamental.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the first part of the constitution by inserting after article 2-a new article to read as follows:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental interference in private or personal matters is fundamental."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that there is a fundamental right to live free of governmental interference.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Itse spoke in favor and yielded to questions.

(Speaker Jasper in the Chair)

Rep. Wuelper spoke in favor.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Abramson requested a roll call; sufficiently seconded.

YEAS 220 NAYS 116

YEAS - 220

BELKNAP

Aldrich, Glen Fields, Dennis Fisher, Robert Fraser, Valerie Hurt, George Russell, David Sylvia, Michael Tilton, Franklin

Vadney, Herbert

Varney, Peter

CARROLL

Avellani, Lino Crawford, Karel McConkey, Mark Schmidt, Stephen Umberger, Karen Wright, Ted CHESHIRE Ames, Richard Berch, Paul Chase, Cynthia Eaton, Daniel Hunt, John Johnsen, Gladys Mann, John McConnell, James Roberts, Kris Robertson, Timothy Tilton, Benjamin

COOS

Fotheraill, John Froburg, Alethea Moynihan, Wayne Rappaport, Laurence Rideout, Leon Theberge, Robert Tholl, John

GRAFTON

Almy, Susan Bennett, Travis Brown, Rebecca Darrow, Stephen Gionet, Edmond Hennessey, Martha Higgins, Patricia Hull, Robert Ladd, Rick Maes, Kevin Massimilla, Linda White, Andrew Sykes, George

Smith, Suzanne HILLSBOROUGH Adams, Christopher Ammon, Keith Backus, Robert Balcom, John Biggie, Barbara Baroody, Benjamin Belanger, James Boehm, Ralph Burt, John Christiansen, Lars Cornell, Patricia Cote, David Donovan, Daniel Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Forest, Armand Freitas, Mary Gagne, Larry Gidge, Kenneth Gonzalez, Carlos Haefner, Robert Haistead, Carolyn Harvey, Suzanne Heath, Mary Hinch, Richard Kurk, Neal Lachance, Joseph LeBrun, Donald Leishman, Peter McCarthy, Peggy Manley, Jonathan Mangipudi, Latha McClarren, Donald McLean, Mark Moore, Josh Murphy, Keith O'Neil, William Ober, Lynne Ober, Russell Palmer, Barry Parison, James Peterson, Ken Rice, Kimberly Pellegrino, Anthony Proulx, Mark Roberts, Carol Rouillard, Claire Rowe, Robert Sanborn, Laurie Schleien, Eric Shaw, Barbara Simmons, Tammy Smith, Gregory Snow, Kendall Soucy, Timothy Sullivan, Daniel Takesian, Charlene Walsh, Robert Wolf, Terry Zaricki, Nick

MERRIMACK

Alicea, Caroletta Bartlett, Christy Brewster, Michael Doherty, David French, Harold Gile, Marv Ebel, Karen Frazer, June Horn, Werner Kotowski, Frank Kuch, Bill Hill, Gregory Long, Douglas Luneau, David MacKay, James Marple, Richard McGuire, Dan Moffett, Howard Martin, John McGuire, Carol Ratzki, Mario Rice, Chip Myler, Mel Patten, Dick Seaworth, Brian Turcotte, Alan Saunderson, George Schuett, Dianne Walsh, Thomas Wheeler, Deborah

ROCKINGHAM Abrami, Patrick Abramson, Max Allen, Marv Azarian, Garv Bush, Carol Cahill, Michael Barnes, Arthur Berrien, Skip Cardon, G. Thomas Chase, Francis Chirichiello, Brian Christie, Andrew Cushing, Robert Devine, James DiFranco, Debbie Cook, Allen Emerick, J. Tracy Doucette, Fred Duarte, Joe Elliott, Robert Friel, William Gordon, Pamela Ferrante, Beverly Francese, Paula Hoelzel, Kathleen Gordon, Richard Griffin, Mary Guthrie, Joseph Introne, Robert Katsakiores, Phyllis Kolodziej, Walter Lovejoy, Patricia O'Connor, John Major, Norman McBeath, Rebecca Nigrello, Robert Oligny, Jeffrey Osborne, Jason Packard, Sherman Pantelakos, Laura

Simpson, Alexis

Schroadter, Adam

Rice, Frederick

Potucek, John

Spillane, James

Sytek, John

Potucek, John	Hice, Frederick	Schroadter, Adam	Simpson, Alexis
Thomas, Douglas	Tilton, Rio	Tucker, Pamela	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			
	ST	TRAFFORD	
Bickford, David	Bixby, Peter	Burton, Wayne	Cheney, Catherine
DiSesa, Len	Gardner, Janice	Graham, Robert	Hannon, Joseph
Jones, Laura	Kaen, Naida	Leeman, Don	Mullen, John
Pitre, Joseph	Rollo, Deanna	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wuelper, Kurt
opang, oddin	. •		,
	S	ULLIVAN	
Converse, Larry	Gottling, Suzanne	Irwin, Virginia	Laware, Thomas
Rollins, Skip	Smith, Steven		
	N	IAYS - 116	
	1	BELKNAP	
Dumais, Russell	Flanders, Donald	Gallagher, Brian	Howard, Jr., Raymond
LeBreche, Shari	Spanos, Peter		
	C	CARROLL	
Buco, Thomas	Butler, Edward	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	Nelson, Bill	Parker, Harold	Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael	Bordenet, John	Ley, Douglas	Pearson, William
Phillips, Larry	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		
		COOS	
Hatch, William	Thomas, Yvonne		
	(GRAFTON	
Abel, Richard	Brown, Duane	Cooney, Mary	Ford, Susan
Ingbretson, Paul	Johnson, Eric	Piper, Wendy	Townsend, Charles
	-	• • •	,
	HILI	LSBOROUGH	
Beaulieu, Jane	Brown, Pamela	Byron, Frank	Christie, Rick
Coffey, James	Cohen, Alan	Danielson, David	Eastman, Eric
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Griffin, Barbara
Guerette, C. Lee	Hansberry, Daniel	Hansen, Peter	Hogan, Edith
Hopper, Gary	Infantine, William	Jack, Martin	Jeudy, Jean
Long, Patrick	Marston, Dick	Murotake, David	Notter, Jeanine
O'Brien, William	Ohm, Bill	Pierce, David	Porter, Marjorie
Rosenwald, Cindy	Seidel, Carl	Shattuck, Gilman	Smith, Timothy
Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan
Vann, Ivy	Williams, Kermit	Twombiy, Timothy	cicry, cordain
vaini, ivy	Williams, North		
	MI	ERRIMACK	
Bradley, Paula	Carson, Clyde	Deloge, Helen	Henle, Paul
Hoell, J.R.	Karrick, David	Kenison, Linda	Rogers, Katherine
Shurtleff, Stephen	Wallner, Mary Jane		
	no.	CKINCHAM	
.		CKINGHAM	0.11.70
Baldasaro, Alfred	Bates, David	Borden, David	Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne	Gannon, William	Green, Dennis	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Matthews, Carolyn	Milz, David	Peckham, Michele	Prudhomme-O'Brien, Katherine
Onillana James	Cutali Jaha	Truca Oberia	Mana Michael

True, Chris

Vose, Michael

STRAFFORD

 Baber, William
 Cilley, Jacalyn
 DeLemus, Susan
 Gray, James

 Groen, Warren
 Horrigan, Timothy
 Kaczynski, Jr., Thomas
 Knowles, Robert

 Schmidt, Peter
 Stevens, Audrey
 Turcotte, Leonard
 Wall, Janet

SULLIVAN

Cloutier, John

Gagnon, Raymond

and the committee report failed lacking the necessary three-fifths vote.

Rep. William O'Brien moved Inexpedient to Legislate.

Motion adopted.

HB 1125, requiring law enforcement officers to return stolen property. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Linda Kenison for the Majority of Judiciary. This bill requires the police to return certain stolen property within 48 hours of its recovery. This bill has a number of flaws. There is no procedure that would enable a person to obtain a copy of the data. Police must maintain a chain of custody over each piece of property taken into custody, for any item used as evidence in a criminal trial has to continually be in the hands of law enforcement and not altered. The proposed bill would require law enforcement to make the device available to the owner within two days so the owner could obtain a copy of the data. Many law enforcement agencies do not have the technology to retrieve the data within two days. Retrieval often takes a significant amount of time. If property is released there would have to be a police officer to oversee the entire process, which could take several hours. Vote 11-9. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes crime victims should be allowed to retrieve the information from devices like phones or computers in a timely manner, after those objects are recovered by police, without compromising the need for them as evidence. With our enormous and increasing dependence on these devices for both personal and professional purposes, the inability to access our own information from our own property can be devastating. This bill as amended would provide a process for the people to get their own data within two business days and it requires the return of the item itself within two weeks unless, in either case, the police show a court why not.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Wuelper spoke against.

Rep. Kenison spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 180 NAYS 152

YEAS - 180 BELKNAP

Fields, Dennis	Gallagher, Brian	LeBreche, Shari	Russell, David
		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Ticehurst, Susan	Umberger, Karen		•
		EHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			
		COOS	
Frahman Alathan	Llatab MCRiana	Marinihan Marina	Dishaudaan Hash

Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Tholl, John Thomas, Yvonne

GRAFTON

Abel, Richard Hennessey, Erin Massimilla, Linda Townsend, Charles Almy, Susan Hennessey, Martha Piper, Wendy White, Andrew Cooney, Mary Higgins, Patricia Smith, Suzanne Ford, Susan Maes, Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Christensen, Chris Cote, David Gidge, Kenneth Guerette, C. Lee Heath, Mary Jeudy, Jean Mangipudi, Latha Palmer, Barry Roberts, Carol Shaw, Barbara Sullivan, Daniel Williams, Kermit Baroody, Benjamin Christiansen, Lars Flanagan, Jack Goley, Jeffrey Haefner, Robert Hinch, Richard Kurk, Neal Manley, Jonathan Pellegrino, Anthony Rosenwald, Cindy Smith, Timothy Takesian, Charlene Beaulieu, Jane Cohen, Alan Forest, Armand Gorman, Mary Hansberry, Daniel Infantine, William Leishman, Peter O'Brien, William Peterson, Ken Rowe, Robert Snow, Kendall Vann, Ivy Brown, Pamela Comell, Patricia Freitas, Mary Griffin, Barbara Harvey, Suzanne Jack, Martin Long, Patrick O'Neil, William Pierce, David Shattuck, Gilman Soucy, Timothy Walsh, Robert

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Luneau, David Ratzki, Mario Schuett, Dianne Wheeler, Deborah Bartlett, Christy Doherty, David Henle, Paul MacKay, James Rice, Chip Shurtleff, Stephen Bradley, Paula Ebel, Karen Karrick, David Myler, Mel Rogers, Katherine Turcotte, Alan

Carson, Clyde Frazer, June Kenison, Linda Patten, Dick Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Bush, Carol Christie, Andrew Francese, Paula Harris, Jeffrey Lovejoy, Patricia Peckham, Michele Ward, Gerald Azarian, Gary Cahill, Michael Cushing, Robert Friel, William Heffron, Frank Major, Norman Simpson, Alexis Ward, Joanne Berrien, Skip
Cali-Pitts, Jacqueline
DiFranco, Debbie
Gordon, Pamela
Hoelzel, Kathleen
Milz, David
Sytek, John
Webb, James

Borden, David Chase, Francis Elliott, Robert Griffin, Mary Kolodziej, Walter Pantelakos, Laura Thomas, Douglas Welch, David

STRAFFORD

Baber, William Gardner, Janice Mullen, John Southworth, Thomas Treleaven, Susan Bixby, Peter Gray, James Rollo, Deanna Spang, Judith Wall, Janet Burton, Wayne Horrigan, Timothy Schmidt, Peter Sprague, Dale

DiSesa, Len Kaen, Naida Smith, Marjorie Stevens, Audrey

SULLIVAN

Cloutier, John Smith, Steven Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

NAYS - 152 BELKNAP

Aldrich, Glen Fraser, Valerie Sylvia, Michael Dumais, Russell Howard, Jr., Raymond Tilton, Franklin Fisher, Robert Hurt, George Vadney, Herbert

Flanders, Donald Spanos, Peter Varney, Peter

CARROLL

Avellani, Lino Wright, Ted

Comeau. Ed

Cordelli, Glenn

Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

Sterling, Franklin

Tilton, Benjamin

COOS

Fothergill, John

Rappaport, Laurence

Rideout, Leon

GRAFTON

Brown, Duane Hull, Robert

Brown, Rebecca Ingbretson, Paul Darrow, Stephen Johnson, Eric

Gionet, Edmond

Belanger, James

Danielson, David

Burt, John

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Byron, Frank

Donovan, Daniel Estevez, Eric Gonzalez, Carlos Hopper, Gary McCarthy, Peggy Murotake, David Ohm, Bill

Rouillard, Claire Simmons, Tammy Twombly, Timothy Ammon, Keith Boehm, Raiph Christie, Rick Eastman, Eric

Ferreira, Elizabeth Gould, Linda Lachance, Joseph McClarren, Donald Murphy, Keith Parison, James Sanborn, Laurie Smith, Gregory Ulery, Jordan

Balcom, John Bouldin, Amanda Coffey, James Edelblut, Frank Fromuth, Bart Hansen, Peter LeBrun, Donald McLean, Mark Notter, Jeanine Proulx, Mark Schleien, Eric Sullivan, Victoria

Edwards, Elizabeth Gagne, Larry Hogan, Edith Marston, Dick Moore, Josh Ober, Lynne Rice, Kimberly Seidel, Carl Sweeney, Shawn Zaricki, Nick

MERRIMACK

Brewster, Michael Horn, Werner Marple, Richard Seaworth, Brian

French, Harold Kotowski, Frank Martin, John Walsh, Thomas

Hill, Gregory Kuch, Bill McGuire, Carol

Baldasaro, Alfred

Chirichiello, Brian

Wolf, Terry

Hoell, J.R. Long, Douglas McGuire, Dan

ROCKINGHAM

Abramson, Max Bates, David Dean-Bailey, Yvonne

Emerick, J. Tracy Green, Dennis Itse. Daniel McBeath, Rebecca Osborne, Jason Rice, Frederick True, Chris.

Woitkun, Steven

Allen, Mary Cardon, G. Thomas Devine, James Ferrante, Beverly Guthrie, Joseph Kappler, Lawrence Nigrello, Robert Packard, Sherman Schroadter, Adam

Doucette, Fred Gannon, William Hodadon, Bruce Katsakiores, Phyllis O'Connor, John Potucek, John Spillane, James Tucker, Pamela Vose, Michael

Barnes, Arthur Cook, Allen Duarte, Joe Gordon, Richard Introne, Robert Matthews, Carolyn Oliany, Jeffrey

Prudhomme-O'Brien, Katherine

Tilton, Rio Weyler, Kenneth

STRAFFORD

Bickford, David Hannon, Joseph Leeman, Don

Cheney, Catherine Jones, Laura Turcotte, Leonard

Graham, Robert Kaczynski, Jr., Thomas Wuelper, Kurt

Groen, Warren Knowles, Robert

SULLIVAN

Converse, Larry

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 1175-FN, relative to post-judgment real estate liens. OUGHT TO PASS WITH AMENDMENT. Rep. Claire Rouillard for Judiciary. This bill as amended provides that judgment issued by a court may be secured against real estate by recording and re-recording a certified copy of the judgment with the registry of deeds, without losing its priority status. Current law requires re-recoding every six years with the priority status of the judgment eliminated. The bill provides for notice to the defendant upon each recording, requiring the recording of an affidavit of notice with the registry of deeds. The bill also provides a mechanism for discharge of the lien, with remedies available to the defendant of costs and legal fees if the plaintiff fails to comply. Vote 14-2.

Amendment (0371h)

Amend the bill by replacing section 2 with the following:

2 New Section; Judgments: Post-Judgment Real Estate Liens. Amend 524 by inserting after section 12 the following new section:

524:13 Post-Judgment Real Estate Liens.

- I. A judgment entered by any court in this state may be secured against real estate by recording or re-recording, at any time during the duration of the judgment, a certified copy of the judgment, along with an affidavit in accordance with paragraph II, with the registry of deeds of the county in which the real estate is located.
- II. At the time of recording, the plaintiff shall mail a copy of all documents mailed to the registry of deeds to the defendant's address of record with the court, by first class mail, or if the defendant is represented by counsel, a copy shall be mailed to counsel in the same manner.
- III. The recording of the certified copy of the judgment, along with the affidavit attesting to compliance with paragraph II shall create a judgment lien on all real estate of the defendant in the county of recording. The judgment lien shall be subject to all applicable exemptions from attachment and execution and shall be subordinate to any other liens of record entitled to priority on the date of recording.
- IV. Unless the judgment is satisfied or discharged or the lien is otherwise removed or altered, the judgment lien created under paragraphs I through III shall remain in force and effect for as long as a suit may be maintained upon the judgment under RSA 508:5.
- V. When a judgment secured by a judgment lien under this section is satisfied, the plaintiff or his or her attorney shall deliver to the defendant or owner of the encumbered real estate a discharge thereof. The defendant or owner shall cause the discharge to be recorded and shall pay the register of deeds the recording fee established pursuant to RSA 478:17-g. If the plaintiff fails to comply with this paragraph, the defendant shall be entitled to recover the amount of reasonable costs and legal fees incurred as a result.
- VI.(a) If the plaintiff fails to deliver the discharge of a satisfied judgment within 30 days from receipt of a request to deliver such discharge, or if other exigent circumstances require an immediate discharge, such discharge may be issued by the court in which the judgment was rendered upon presentation of proof that the judgment has been paid in full, in the form of either a bank check, a certified check, an attorney's client funds account check which bears no indication of a stop payment order or return for insufficient funds, or by other equivalent documentary evidence of such receipt of payment.
- (b) The discharge shall include the names of the plaintiff and the defendant, the date and amount of the judgment, the name of the underlying case and case number, if any, and the book and page of recording of the judgment lien.
- (c) The discharge, when recorded, shall constitute a complete release of the lien created by the recording of the judgment.
- (d) Any person who induces a court to execute a discharge in accordance with this paragraph on the basis of information and statements known to the person to be false shall be responsible for all costs and fees incurred by the opposing party as a result and such additional sanctions as the court in its discretion deems appropriate.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1249, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for the Majority of Judiciary. This bill proposes certain criminal penalties for providing false or misleading information in a child abuse or neglect investigation or proceeding.

It would also criminalize withholding of exculpatory and true information by any employee of the Department of Health and Human Services. A bipartisan majority of the committee has recommended Inexpedient to Legislate for a number of reasons. There are already criminal provisions in the law to punish false swearing and perjury that would apply to judicial proceedings. The majority of the committee felt that poor drafting, vagueness and unclear directives in this bill would lead to unintended consequences and might well dissuade individuals from bringing forth good faith claims of child abuse. The bill makes it a crime to withhold information, but does not define from whom. It states that the information must be known to be true and exculpatory, but not by whom. It does not seek to define exculpatory, which can vary from circumstance to circumstance. The bar on withholding information extends to unintentional as well as intentional. The bill would cover secretaries as well as investigators. It even fails to specify what kind of hearing would be necessary for certain criminal penalties to attach. In a larger sense, the committee heard testimony that this bill would potentially chill people from coming forward with information that may turn out to be exculpatory, yet false. Law and public policy in New Hampshire is to encourage -with immunity - people coming forward with good faith reporting of possible child abuse and neglect. This bill, as written, goes in the opposite direction. Vote 10-7.

Rep. Mark McLean for the Minority of Judiciary. RSA 169-C:31 grants civil and criminal immunity to anyone who makes a report in good faith under the child protection act. This provision is essential to reassure persons reporting abuse that they will be protected from retaliation, and its absence would have a chilling effect on the reporting of real abuse. However, as vital as these protections are, they are only valid if the reports are being made in good faith. Persons who bring forth false or misleading information lose this immunity and are subject to the penalties under RSA 641 relating to falsification in official matters. This bill as amended does not create new penalties for providing false information, but it does explicitly link RSA 169 to RSA 641, and it clarifies which sections of the statute apply. False or misleading statements relating to abuse have the potential to cause enormous damage to children as well as the falsely accused. The minority of the committee felt that there should be no ambiguity as to the consequences of such actions.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Eastman requested a roll call; sufficiently seconded.

YEAS 204 NAYS 128

YEAS - 204 BELKNAP

Dumais, Russell Tilton, Franklin	Fields, Dennis	Gallagher, Brian	Russell, David
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		·
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Thomas, Yvonne	
	G	RAFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert
Belanger, James
Christiansen, Lars
Danielson, David
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Jeudy, Jean
Mangipudi, Latha
Ober, Lynne
Pierce, David
Rowe, Robert
Snow, Kendall
Vann, Ivy

Balcom, John Biggie, Barbara Cohen, Alan Flanagan, Jack Goley, Jeffrey Haefner, Robert Hinch, Richard Kurk, Neal Manley, Jonathan Palmer, Barry Proulx, Mark Shattuck, Gilman Soucy, Timothy Walsh, Robert Baroody, Benjamin Brown, Pamela Cornell, Patricia Forest, Armand Gorman, Mary Hansberry, Daniel Infantine, William Leishman, Peter Marston, Dick Pellegrino, Anthony Roberts, Carol Shaw, Barbara Sullivan, Daniel Williams, Kermit

Beaulieu, Jane Christensen, Chris Cote, David Freitas, Mary Griffin, Barbara Harvey, Suzanne Jack, Martin Long, Patrick O'Neil, William Peterson, Ken Rosenwald, Cindy Smith, Timothy Takesian, Charlene Wolf, Terry

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Kotowski, Frank Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Doherty, David Henle, Paul Luneau, David Ratzki, Mario Schuett, Dianne Walsh, Thomas Bradley, Paula Carson, Clyde
Ebel, Karen Frazer, June
Karrick, David Kenison, Linda
MacKay, James Myler, Mel
Rice, Chip Rogers, Katherine
Shurtleff, Stephen Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Borden, David
Chase, Francis
DiFranco, Debbie
Friel, William
Heffron, Frank
Lovejoy, Patricia
Nigrello, Robert
Peckham, Michele
Tilton, Rio
Woitkun, Steven

Azarian, Gary Cahill, Michael Christie, Andrew Doucette, Fred Gordon, Pamela Hoelzel, Kathleen Major, Norman O'Connor, John Simpson, Alexis Ward, Gerald Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Elliott, Robert
Griffin, Mary
Katsakiores, Phyllis
McBeath, Rebecca
Packard, Sherman
Sweeney, Joe
Ward, Joanne

Wheeler, Deborah

Berrien, Skip Cardon, G. Thomas Devine, James Francese, Paula Guthrie, Joseph Kolodziej, Walter Milz, David Pantelakos, Laura Sytek, John Webb, James

STRAFFORD

Baber, William DiSesa, Len Kaen, Naida Southworth, Thomas Treleaven, Susan

Spang, Judith Wall, Janet Converse, Larry

Bickford, David

Gardner, Janice

Rollo, Deanna

Bixby, Peter Gray, James Schmidt, Peter Sprague, Dale

Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey

SULLIVAN

Gagnon, Raymond

Gottling, Suzanne

Cloutier, John Irwin, Virginia

Smith, Steven

NAYS - 128 BELKNAP

Aldrich, Glen Howard, Jr., Raymond Sylvia, Michael Fisher, Robert Hurt, George Vadney, Herbert Flanders, Donald LeBreche, Shari Varney, Peter Fraser, Valerie Spanos, Peter

CARROLL

Avellani, Lino Comeau, Ed Wright, Ted

Cordelli, Glenn McCarthy, Frank

CHESHIRE

McConnell, James Sterling, Franklin Tilton, Benjamin

COOS

Rideout, Leon

GRAFTON

Brown, Duane Darrow, Stephen Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Boehm, Ralph Bouldin, Amanda Burt, John Byron, Frank Christie, Rick Coffey, James Donovan, Daniel Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gagne, Larry Gonzalez, Carlos Gould, Linda Hansen, Peter Hogan, Edith Hopper, Garv Lachance, Joseph LeBrun, Donald McCarthy, Peggy McClarren, Donald McLean, Mark Moore, Josh Murotake, David Notter, Jeanine Murphy, Keith O'Brien, William Ohm. Bill Parison, James Rice, Kimberly Rouillard, Claire Schleien, Eric Seidel, Carl Simmons, Tammy Sullivan, Victoria Smith, Gregory Sweeney, Shawn Twombly, Timothy Zaricki, Nick Ulery, Jordan

MERRIMACK

 Brewster, Michael
 French, Harold
 Hill, Gregory
 Hoell, J.R.

 Horn, Werner
 Kuch, Bill
 Long, Douglas
 Marple, Richard

 Martin, John
 McGuire, Carol
 McGuire, Dan
 Seaworth, Brian

ROCKINGHAM

Abramson, Max Allen, Mary Baldasaro, Alfred Bates, David Bush, Carol Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne Ferrante, Beverly Gannon, William Duarte, Joe Emerick, J. Tracv Gordon, Richard Green, Dennis Harris, Jeffrey Hodgdon, Bruce Introne, Robert Itse, Daniel Kappler, Lawrence Matthews, Carolyn Prudhomme-O'Brien, Katherine Oligny, Jeffrey Osborne, Jason Potucek, John Rice, Frederick Schroadter, Adam Thomas, Douglas Spillane, James True, Chris Tucker, Pamela Vose, Michael Welch, David

STRAFFORD

Cheney, Catherine Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Mullen, John Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

Weyler, Kenneth

and the majority committee report was adopted.

HB 1270, relative to a jury's determination as to the applicability of a law. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Gary Hopper for the Majority of Judiciary. This bill is not jury nullification. This bill does not turn the practice of law in New Hampshire on its head. Rather, this bill clarifies the current burden of proof in the jury instruction given by the judge to juries in criminal cases and requires this instruction to be given only at the request of the defendant or the defendant's attorney. The current jury instruction given is, "If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However if you find that the state has proved all the elements of the offense charged beyond a reasonable

doubt, you should find the defendant guilty." The word "should" as we know in this legislative body means "may or can if you decide to." To a juror who has never served in the legislative body, this "may or can" can be confusing when given with all of the other multiple pages of jury instructions provided at one time. The last line in this bill clarifies that "should" to mean, "Even if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you may still find that based upon the facts of the case a guilty verdict will yield an unjust result, and you may find the defendant not guilty." This does not tell to the jury they can disregard the "law." The language merely reinforces law, as we have always known it in New Hampshire, which is that the jury is the finder of fact and the jury has the ability based upon the "facts" to find the defendant not guilty. The majority of the committee felt this law was necessary and would assist the jury in promoting justice in our state. Vote 9-8.

Rep. Paul Berch for the Minority of Judiciary. New Hampshire already has laws and court decisions governing what the jury may be told regarding its right to judge facts and the application of the law in relation to the facts in a criminal case. This bill would radically change the landscape by allowing a jury instruction supporting jury nullification that would grant the jury the right to ignore the law and reach a verdict based upon subjective concepts of just and unjust results, regardless of law. Not only is this bill likely unconstitutional, it would potentially change how every criminal trial is conducted. We are a country governed by the rule of law and this bill would substitute an arbitrary and unknowable standard in its place. Additionally, the bill would allow the jury to improperly invade the province of the judge in the realm of sentencing. There are significant separation of powers issues, as this legislation would interfere with the court's core adjudicative function. Testimony provided to the committee showed that this idea would not work in practice - the rules of evidence would have to be radically revised to allow prosecutors to show why a guilty verdict would be just; mini-trials would need to be held to show why the criminal statute involved was a just statute in the eyes of the legislature that passed it.

Majority Amendment (0253h)

Amend the bill by replacing section 2 with the following:

- 2 Jury Instruction. RSA 519:23-a is repealed and reenacted to read as follows:
- 519:23-a Jury Instruction. In all criminal proceedings the court shall inform the jury of its right to judge the facts and the application of the law in relation to the facts in controversy. At the request of the defendant or the defendant's attorney, the court shall instruct the jury as follows: If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However if you find that the state has proved all the elements of the offense charged beyond a reasonable doubt, you should find the defendant guilty. Even if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you may still find that based upon the facts of this case a guilty verdict will yield an unjust result, and you may find the defendant not guilty.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Berch spoke against.

Rep. Hopper spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 184 NAYS 145

YEAS - 184 BELKNAP

Aldrich, Glen Fraser, Valerie Russell, David Varney, Peter	Dumais, Russell Gallagher, Brian Spanos, Peter	Fisher, Robert Howard, Jr., Raymond Sylvia, Michael	Flanders, Donald Hurt, George Vadney, Herbert
vamey, reter		CARROLL	

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen	Wright, Ted	·

CHESHIRE

Hunt, John McConnell, James Tilton, Benjamin

COOS

Fotheraill, John Rappaport, Laurence Richardson, Herbert Rideout, Leon

Thomas, Yvonne

GRAFTON

Brown, Duane Darrow, Stephen Gionet, Edmond Hennessev, Erin Ingbretson, Paul Johnson, Eric Ladd, Rick Hull, Robert

HILLSBOROUGH

Balcom, John

Coffey, James

Edelblut, Frank

Flanagan, Jack

Bouldin, Amanda

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Byron, Frank Christie, Rick

Donovan, Daniel Eastman, Eric Estevez, Eric Ferreira, Elizabeth Gagne, Larry Gonzalez, Carlos Hinch, Richard Hogan, Edith LeBrun, Donald Lachance, Joseph

McLean, Mark McClarren, Donald Murphy, Keith Notter, Jeanine Ober, Russell Ohm, Bill Proulx, Mark Rice, Kimberly Schleien, Eric Sanborn, Laurie Smith, Gregory

Ulery, Jordan Wolf, Terry

French, Harold Kotowski, Frank

Walsh, Thomas

Gould, Linda Hopper, Gary Marston, Dick Moore, Josh O'Brien, William Parison, James Rouillard, Claire Seidel, Carl Sweeney, Shawn Sullivan, Victoria Zaricki, Nick

MERRIMACK

Hill, Gregory Kuch, Bill Martin, John McGuire, Carol

ROCKINGHAM

Barnes, Arthur Cook, Allen Chirichiello, Brian Duarte, Joe Elliott, Robert Friel, William Gannon, William Guthrie, Joseph Griffin, Mary Hoelzel, Kathleen Introne, Robert Katsakiores, Phyllis Milz. David

Osborne, Jason Prudhomme-O'Brien, Katherine Sytek, John Tucker, Pamela

Weyler, Kenneth

Brewster, Michael

Horn, Werner

Marple, Richard

Seaworth, Brian

Abrami, Patrick

Abramson, Max Bates, David Kolodziei, Walter Nigrello, Robert Packard, Sherman Rice, Frederick Thomas, Douglas Ward, Joanne Woitkun, Steven

Allen, Mary Bush, Carol Dean-Bailey, Yvonne Emerick, J. Tracy Gordon, Richard Harris, Jeffrey Itse, Daniel Major, Norman O'Connor, John Peckham, Michele Spillane, James

Tilton, Rio Webb, James

STRAFFORD

Cheney, Catherine Bickford, David Groen, Warren Gray, James Knowles, Robert Kaczynski, Jr., Thomas Turcotte, Leonard Wuelper, Kurt

Gardner, Janice Hannon, Joseph Leeman, Don

Graham, Robert Jones, Laura Mullen, John

Belanger, James Burt, John

Danielson, David

Hansen, Peter

McCarthy, Peggy

Murotake, David

Pellegrino, Anthony Rowe, Robert

Simmons, Tammy

Twombly, Timothy

Ober, Lynne

Hoell, J.R.

Long, Douglas

McGuire, Dan

Baldasaro, Alfred

Chase, Francis

Devine, James

Green, Dennis

Oligny, Jeffrey

Potucek, John

Sweeney, Joe True, Chris

Welch, David

Hodgdon, Bruce

Kappler, Lawrence

Matthews, Carolyn

Ferrante, Beverly

Kurk, Neal

Edwards, Elizabeth Fromuth, Bart

SULLIVAN

Smith, Steven Rollins, Skip Laware, Thomas

NAYS - 145 BELKNAP

	. B	ELKNAP	
Fields, Dennis	LeBreche, Shari	Tilton, Franklin	
	C	CARROLL	
Buco, Thomas	Butler, Edward	Parker, Harold	Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	Tholl, John
	G	FRAFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HILI	LSBOROUGH	
Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Christensen, Chris	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Harvey, Suzanne	Heath, Mary	Jack, Martin
Jeudy, Jean	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	O'Neil, William	Palmer, Barry	Peterson, Ken
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit		
Allere Or other		ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	Henle, Paul
Karrick, David Myler, Mel	Kenison, Linda Ratzki, Mario	Luneau, David Rice, Chip	MacKay, James Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtieff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah	Shurden, Stephen	Turcoile, Alair
	ROC	CKINGHAM	
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Christie, Andrew	Cushing, Robert	DiFranco, Debbie
Francese, Paula	Gordon, Pameia	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis	Vose, Michael
Ward, Gerald	,	, , , , , , , , , , , , , , , , , , , ,	,
	ST	RAFFORD	
Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet

SULLIVAN

Cloutier, John

Converse, Larry

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

Froburg, Alethea

Tholl, John

and the majority committee report was adopted and ordered to third reading.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 144, 227 and 265.

Rep. Hinch, Sen. Prescott for the Committee

REGULAR CALENDAR CONT'D

HB 1328, limiting pregnancy terminations to pregnancies of 20 weeks or less. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Timothy Horrigan for the Majority of Judiciary. This bill as introduced would have banned all abortions after 20 weeks of pregnancy. It would have eliminated the option for New Hampshire women to legally terminate a pregnancy after the middle of the second trimester. This represents unwarranted government interference with women's reproductive decisions and with the practice of medicine. There are also numerous legal and medical flaws with this bill. It threatens women's health by banning abortion even when serious medical conditions jeopardize a woman's health. While the bill does have very narrow exceptions, they are inadequate to protect women's health and safety. For example, women with cancer, diabetes, high blood pressure, and epilepsy or other seizure disorders may face dangerous complications at or past week 20 that can put their health in serious jeopardy. Abortion after 20 weeks in pregnancy is extremely rare: only one percent of women have abortions after 20 weeks. When it does happen, it is typically because of a heartbreaking and tragic situation where a woman and her doctor need every medical option available. These very often involve rare, severe fetal anomalies which are not detectable before 20 weeks. Vote 11-9.

Rep. Joseph Hagan for the Minority of Judiciary. Roe v. Wade stated that subsequent to viability, the state, in promoting its interest in human life, may, if it chooses, regulate and even proscribe (ban) abortion. This bill would ban abortions after viability except when life and health of the mother is at risk or condition of the fetus demands removal for the uterus. Over the last decade, according to the Gallup Poll, greater than 80% of the American people agree that abortion should be banned after viability. This bill is constitutional, compassionate and supported by the majority of the American people.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 182 NAYS 144

YEAS - 182 BELKNAP

Moynihan, Wayne

Rappaport, Laurence

	-	DELIKITAI	
Aldrich, Glen Russell, David	Fields, Dennis Vadney, Herbert	Fisher, Robert	Flanders, Donald
		CARROLL	
Butler, Edward Wright, Ted	Crawford, Karel	Ticehurst, Susan	Umberger, Karen
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			
		COOS	

Hatch, William Thomas, Yvonne

GRAFTON

Almy, Susan Abel, Richard Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Erin Hennessev, Martha Higgins, Patricia Ladd, Rick Maes, Kevin Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Balcom, John Baroody, Benjamin Beaulieu, Jane Belanger, James Brown, Pamela Byron, Frank Christensen, Chris Cohen, Alan Cornell, Patricia Cote. David Edwards, Elizabeth Estevez, Eric Flanagan, Jack Forest, Armand Freitas, Mary Gidge, Kenneth Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansen, Peter Harvey, Suzanne Heath, Mary Jack, Martin Kurk, Neal Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan Marston, Dick O'Neil, William Ober, Lynne Porter, Marjorie Proulx, Mark Roberts, Carol Rosenwald, Cindy Schleien, Eric Shattuck, Gilman Shaw, Barbara Smith, Timothy Snow, Kendall Soucy, Timothy Sullivan, Daniel Takesian, Charlene

MERRIMACK

Williams, Kermit

Alicea, Caroletta Bartlett, Christy Bradley, Paula Deloge, Helen Doherty, David Ebel, Karen Frazer, June Henle, Paul Karrick, David Kenison, Linda Kuch, Bill Long, Douglas Luneau, David MacKay, James Marple, Richard Martin, John Myler, Mel Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Seaworth, Brian Shurtleff, Stephen Turcotte, Alan Wheeler, Deborah Wallner, Mary Jane

Walsh, Robert

Vann, Ivv

ROCKINGHAM

Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Chase, Francis Christie, Andrew Cushing, Robert DiFranco, Debbie Elliott, Robert Ferrante, Beverly Francese, Paula Gordon, Pamela Friel, William Griffin, Mary Guthrie, Joseph Heffron, Frank Loveiov. Patricia McBeath, Rebecca Milz. David Nigrello, Robert Osborne, Jason Pantelakos, Laura Peckham, Michele Simpson, Alexis Sweeney, Joe Tilton, Rio Vose, Michael Ward, Gerald Webb, James Woitkun, Steven

STRAFFORD

Baber, William Bickford, David Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Gardner, Janice Hannon, Joseph Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Treleaven, Susan Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Irwin, Virginia

NAYS - 144 BELKNAP

Dumais, Russell Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond Hurt, George LeBreche, Shari Spanos, Peter Tilton, Franklin

CARROLL

Avellani, Lino Buco, Thomas Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen

COOS

Fothergili, John Richardson, Herbert Rideout, Leon

GRAFTON

Hull, Robert Ingbretson, Paul Brown, Duane Gionet, Edmond Johnson, Eric

Massimilla, Linda

Twombly, Timothy

HILLSBOROUGH

Boehm, Ralph Adams, Christopher Ammon, Keith Biggie, Barbara Christie. Rick Coffey, James Burt, John Christiansen, Lars Edelblut, Frank Danielson, David Donovan, Daniel Eastman, Eric Ferreira, Elizabeth Fromuth, Bart Gagne, Larry Gonzalez, Carlos Hinch, Richard Haefner, Robert Griffin, Barbara Gould, Linda Infantine, William Jeudy, Jean Hopper, Gary Hogan, Edith Lachance, Joseph LeBrun, Donald McCarthy, Peggy McClarren, Donald Murotake, David Murphy, Keith McLean, Mark Moore, Josh Palmer, Barry O'Brien, William Ohm. Bill Notter, Jeanine Peterson, Ken Pierce, David Parison, James Pellegrino, Anthony Rowe, Robert Sanborn, Laurie Rouillard, Claire Rice, Kimberly Smith, Gregory Sullivan, Victoria Simmons, Tammy Seidel, Carl

Sweeney, Shawn Zaricki, Nick

Walsh, Thomas

MERRIMACK

Ulerv. Jordan

Wolf, Terry

Hill, Gregory Hoell, J.R. Brewster, Michael French, Harold McGuire, Carol McGuire, Dan Kotowski, Frank Horn, Werner

ROCKINGHAM

Allen, Mary Baldasaro, Alfred Abrami, Patrick Abramson, Max Cook, Allen Bates, David Bush, Carol Chirichiello, Brian Duarte, Joe Emerick, J. Tracy Dean-Bailey, Yvonne Devine, James Green, Dennis Harris, Jeffrey Gannon, William Gordon, Richard Introne, Robert Itse. Daniel Hodgdon, Bruce Hoelzel, Kathleen Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Matthews, Carolyn Packard, Sherman Potucek, John O'Connor, John Oligny, Jeffrey Sytek, John Spillane, James Prudhomme-O'Brien, Katherine Rice. Frederick Tucker, Pamela Ward, Joanne Thomas, Douglas True, Chris Welch, David Weyler, Kenneth

STRAFFORD

Gray, James Groen, Warren Cheney, Catherine Graham, Robert Knowles, Robert Leeman, Don Kaczynski, Jr., Thomas Jones, Laura Wuelper, Kurt Mullen, John Stevens, Audrey Turcotte, Leonard

SULLIVAN

Smith, Steven Rollins, Skip Gagnon, Raymond Laware, Thomas

and the majority committee report was adopted.

HB 1361, relative to service of process by attorneys and justices of the peace. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Claire Rouillard for the Majority of Judiciary. This bill allows police officers to provide "civil" service of process. Civil process is currently completed by sheriffs and deputy sheriffs. Civil service of process includes landlord-tenant issues, evictions, custody and divorce proceedings, etc. Police officers currently serve "criminal" processes, which can involve restraining orders, criminal complaints, etc. Testimony by police and sheriff departments was that neither wanted to expand their duties. Police do not want to take away time from protecting their citizens. Also, additional training on civil process would be necessary for police departments. Vote 16-4.

Rep. Robert Hull for the Minority of Judiciary. This bill with amendment amends RSA 105 to allow police officers to serve process in the same manner as sheriffs and sheriffs' deputies. The current procedure is cumbersome and costly. This bill will create a voluntary option for municipalities to allow the local police officer to serve process in lieu of the sheriffs, thereby saving the person seeking the service from additional travel expense and generating revenue for the municipality. Majority committee report adopted.

HB 1399-FN, requiring licensure of outpatient abortion clinics. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Larry Phillips for the Majority of Judiciary. The bipartisan majority of the committee believes this bill is neither appropriate nor necessary. Licensing of medical facilities is determined based on needs for safety. There are procedures done in unlicensed physician's offices that are not as safe as abortions. Although facilities may not be licensed, medical professionals who work in them, including abortion clinics, are. Vote 14-5.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that abortion clinics should be licensed because women across our country have died because of inadequate facilities at abortion clinics. Women have died because of blocked exit doors, hallways not wide enough for emergency equipment and other difficulties with the physical facilities. This bill left the Department of Health and Human Services to decide what requirements would be. We think New Hampshire women deserve the protection that clinic licensing would provide.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. White requested a roll call; sufficiently seconded.

YEAS 203 NAYS 121

YEAS - 203
BELKNAP

	I.	SELKNAP	
Dumais, Russell Hurt, George	Fields, Dennis Russell, David	Fisher, Robert Vadney, Herbert	Flanders, Donald
	C	CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	Wright, Ted
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Tholl, John	Thomas, Yvonne	.,, .,,
	G	RAFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HILI	SBOROUGH	
Ammon, Keith	Backus, Robert	Balcom, John	Beaulieu, Jane
Belanger, James	Brown, Pamela	Byron, Frank	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
Educated Ether to all			

Ferreira, Elizabeth

Flanagan, Jack

Edwards, Elizabeth

Estevez, Eric

Forest, Armand Gorman, Mary Harvey, Suzanne Jeudy, Jean Mangipudi, Latha O'Neil, William Roberts, Carol Shattuck, Gilman Snow, Kendall Takesian, Charlene Wolf, Terry Freitas, Mary Griffin, Barbara Heath, Mary Kurk, Neal Manley, Jonathan Peterson, Ken Rosenwald, Cindy Shaw, Barbara Soucy, Timothy Vann, Ivy Zaricki, Nick

Gidge, Kenneth Guerette, C. Lee Infantine, William Leishman, Peter Marston, Dick Porter, Marjorie Rouillard, Claire Smith, Gregory Sullivan, Daniel Walsh, Robert Goley, Jeffrey Haefner, Robert Jack, Martin Long, Patrick McLean, Mark Proulx, Mark Schleien, Eric Smith, Timothy Sweeney, Shawn Williams, Kermit

MERRIMACK

Alicea, Caroletta Doherty, David Kenison, Linda MacKay, James Rice, Chip Seaworth, Brian Walsh, Thomas Bartlett, Christy Ebel, Karen Kotowski, Frank Marple, Richard Rogers, Katherine Shurtleff, Stephen Wheeler, Deborah Bradley, Paula Frazer, June Long, Douglas Myler, Mel Saunderson, George Turcotte, Alan

Deloge, Helen Henle, Paul Luneau, David Ratzki, Mario Schuett, Dianne Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Borden, David Chase, Francis DiFranco, Debbie Friel, William Kolodziej, Walter Packard, Sherman Thomas, Douglas Webb, James Allen, Mary Cahill, Michael Christie, Andrew Elliott, Robert Gordon, Pamela Lovejoy, Patricia Pantelakos, Laura Tilton, Rio Woitkun, Steven Barnes, Arthur Cali-Pitts, Jacqueline Cushing, Robert Ferrante, Beverly Heffron, Frank McBeath, Rebecca Simpson, Alexis Ward, Gerald

Berrien, Skip Cardon, G. Thomas Devine, James Francese, Paula Introne, Robert Milz, David Sweeney, Joe Ward, Joanne

STRAFFORD

Baber, William Cheney, Catherine Horrigan, Timothy Smith, Marjorie Stevens, Audrey Bickford, David Cilley, Jacalyn Kaen, Naida Southworth, Thomas Treleaven, Susan Bixby, Peter DiSesa, Len Rollo, Deanna Spang, Judith Wall, Janet Burton, Wayne Gardner, Janice Schmidt, Peter Sprague, Dale

SULLIVAN

Cloutier, John Irwin, Virginia Converse, Larry Smith, Steven Gagnon, Raymond

Gottling, Suzanne

NAYS - 121 BELKNAP

Aldrich, Glen LeBreche, Shari Fraser, Valerie Spanos, Peter Gallagher, Brian Tilton, Franklin Howard, Jr., Raymond Varney, Peter

CARROLL

Avellani, Lino McConkey, Mark Comeau, Ed Nelson, Bill Cordelli, Glenn Parker, Harold McCarthy, Frank

CHESHIRE

Roberts, Kris

COOS

Fothergill, John

Rideout, Leon

GRAFTON

Brown, Duane	Gionet, Edmond	Ingbretson, Paul	Johnson, Eric
	HILLS	SBOROUGH	
Adams, Christopher	Baroody, Benjamin	Biggie, Barbara	Boehm, Ralph
Burt, John	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Fromuth, Bart
Gagne, Larry	Gonzalez, Carlos	Gould, Linda	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	McCarthy, Peggy	McClarren, Donald	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Pierce, David	Rice, Kimberly	Rowe, Robert	Sanborn, Laurie
Seidel, Carl Ulery, Jordan	Simmons, Tammy	Sullivan, Victoria	Twombly, Timothy
olory, cordain	MEI	RRIMACK	
Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner McGuire, Dan	Kuch, Bill	Martin, John	McGuire, Carol
McGaile, Dall	ROC	KINGHAM	
Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Emerick, J. Tracy	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Matthews, Carolyn	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Spillane, James	Sytek, John	True, Chris
Tucker, Pamela	Vose, Michael	Welch, David	Weyler, Kenneth
	STR	AFFORD	
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullon John	Towns the Law of	144	

Mullen, John Turcotte, Leonard

Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

HB 1417, relative to records of convenings of public bodies. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Timothy Horrigan for the Majority of Judiciary. RSA 91-A, the right to know statute, allows for what are colloquially termed "non-meetings," where a quorum or majority of the members of a public body convenes for certain narrowly defined purposes. The majority of the committee recognizes that these non-meetings can be controversial, but also recognizes that they are necessary when negotiating collective bargaining contracts and when consulting with legal counsel. This bill would have complicated public bodies' attempts to deal with these issues without adding any transparency to their work. Vote 11-7. Rep. Michael Sylvia for the Minority of Judiciary. Under our right to know statute, RSA 91-A:2 defines "meetings" and provides for exceptions to meetings which are commonly referred to as "non-meetings." This bill seeks to address two such types of "non-meetings:" strategy or negotiations with respect to collective bargaining and consultation with legal counsel. This bill as amended would require that records be kept of such "non-meetings" which would include the specific exemption which is relied upon as the foundation for the "non-meeting," names of members, meeting places, and beginning and ending time. This information would then be subject to disclosure after 72 hours which is the case with nonpublic sessions. The minority of the committee believes that this will benefit the people of New Hampshire and aid in transparency as required under our Constitution's Part I, Article 8.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 189 NAYS 135

YEAS - 189 RELKNAP

	1.	17VO - 10)	
	В	ELKNAP	
Fields, Dennis Tilton, Franklin	Flanders, Donald	LeBreche, Shari	Russell, David
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Tholi, John	Thomas, Yvonne		
	G	RAFTON	
Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew	7777 7	CDODOUCH	
		LSBOROUGH	Desulies Jone
Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Brown, Pamela	Byron, Frank	Christensen, Chris	Christiansen, Lars
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	Flanagan, Jack	Forest, Armand	Freitas, Mary Gorman, Mary
Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey Haefner, Robert	Harvey, Suzanne
Griffin, Barbara	Guerette, C. Lee Hinch, Richard	Infantine, William	Jack, Martin
Heath, Mary	Kurk, Neal	Long, Patrick	Mangipudi, Latha
Jeudy, Jean Manley, Jonathan	O'Neil, William	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
rancolari, charles	•	ERRIMACK	
Aliana Caralatta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Alicea, Caroletta	Ebel, Karen	Frazer, June	Henle, Paul
Doherty, David Kenison, Linda	Kotowski, Frank	Luneau, David	MacKay, James
Myler, Mel	Ratzki, Mario	Rice, Chip	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	
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	RO	CKINGHAM	Builder Build

Abrami, Patrick Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cardon, G. Thomas Chase, Francis Christie, Andrew

	HOUSE JOURN	AL MARCH 9, 2010	
Cushing, Robert	DiFranco, Debbie	Elliott, Robert	Francese, Paula
Gordon, Pamela	Griffin, Mary	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Lovejoy, Patricia	Matthews, Carolyn	McBeath, Rebecca
Milz, David	Nigrello, Robert	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Simpson, Alexis	Sweeney, Joe	Sytek, John
Tilton, Rio	Ward, Gerald	Ward, Joanne	Webb, James
Woitkun, Steven	arm.		
		RAFFORD	
Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet	JLLIVAN	
Cloutier, John			O-441: O
Irwin, Virginia	Converse, Larry Smith, Steven	Gagnon, Raymond	Gottling, Suzanne
nvin, virginia	·		
	NA.	AYS - 135	
	Bl	ELKNAP	
Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	Spanos, Peter
Sylvia, Michael	Vadney, Herbert	Varney, Peter	•
	C	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Wright, Ted	Comcad, Ed	Oordeni, dieriir	wiccartily, Flank
	CH	IESHIRE	
McConnell, James	Sterling, Franklin		
	•	COOS	
Fothergill, John	Rappaport, Laurence	Rideout, Leon	
	CI	RAFTON	
Brown Duono			
Brown, Duane Johnson, Eric	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Enc	HILL	SBOROUGH	
Adams, Christopher	Ammon, Keith		Dissis Darbara
Boehm, Raiph	Burt, John	Belanger, James Christie, Rick	Biggie, Barbara
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Donovan, Daniel Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gonzalez, Carlos	Gould, Linda
Hansen, Peter	Hogan, Edith	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	Marston, Dick	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Palmer, Barry
Parison, James	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick	,,,	0.0.7, 00.444
	MET	RRIMACK	
Brewster, Michael			Healt 15
Horn, Werner	French, Harold Kuch, Bill	Hill, Gregory	Hoell, J.R.
Martin, John	McGuire, Carol	Long, Douglas McGuire, Dan	Marple, Richard
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	ROC	KINGHAM	
Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush Carol	Cali-Pitte Jacqueline	Chirichialla Brian	Cook Allen

Cali-Pitts, Jacqueline

Chirichiello, Brian

Cook, Allen

Bush, Carol

Emerick, J. Tracv Dean-Bailey, Yvonne Devine, James Duarte, Joe Gannon, William Gordon, Richard Ferrante, Beverly Friel, William Harris, Jeffrey Hodgdon, Bruce Green, Dennis Guthrie, Joseph Katsakiores, Phyllis Kolodziej, Walter Kappler, Lawrence Itse, Daniel Osborne, Jason Potucek, John O'Connor, John Oligny, Jeffrey Spillane, James Thomas, Douglas Prudhomme-O'Brien, Katherine Rice, Frederick Vose, Michael Welch, David Tucker, Pamela True, Chris

Weyler, Kenneth STRAFFORD

Cheney, Catherine Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Mullen, John Smith, Marjorie Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

HB 1481, relative to the qualifications of jurors. INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for Judiciary. This bill would require jurors to be citizens of New Hampshire, citizens of the United States and to have read the New Hampshire Constitution. The majority believes that the change in citizenship wording is redundant as a citizen of New Hampshire is already defined as a citizen of the United States residing in New Hampshire, and that the requirement to have read the New Hampshire Constitution would be ineffective in giving jurors any significant understanding of it. Vote 15-2.

Committee report adopted.

HB 1493, relative to ownership of DNA. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Gary Hopper for the Majority of Judiciary. This bill as amended codifies in law the idea that your genetic information, the code that exposes all your predispositions both good and bad, is yours to control. The first human genome sequencing took 13 years. It now takes one day. The majority of the committee believes that this information is so personal it should be your choice whether or not to share it. The only exception to that would be for a criminal investigation. Vote 11-9.

Rep. Charlene Takesian for the Minority of Judiciary. This bill is a good idea and the minority agreed with the concept but were concerned about retaining DNA acquired at a crime scene and the usage of DNA during criminal trials. It also cuts out medical and genetic research that could result in medical advancements by requiring consent for the research.

Majority Amendment (0712h)

Amend the bill by replacing section 3 with the following:

3 New Section; Genetic Testing; Individual Right to Genetic Information. Amend RSA 141-H

by inserting after section 2 the following new section:

141-H:2-a Individual Right to Genetic Information. An individual's genetic information and DNA sample are the property of the individual, and, except as expressly otherwise provided in statute, shall not be acquired, retained, or disclosed without the written consent of the individual or his or her legal representative or, after the individual's death, his or her executor or other legal representative. This section shall not apply to the identification of individuals in criminal investigations.

AMENDED ANALYSIS

This bill provides that an individual's genetic information and DNA sample are the property of the individual and, with limited exception, shall not be acquired, retained, or disclosed without consent. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1496, relative to the expectation of privacy in personal materials. INEXPEDIENT TO LEGISLATE.

Rep. Paul Berch for Judiciary. This bill seeks to extend privacy protections to physical items owned or possessed by an individual, whether or not abandoned. It would require warrants or court orders

in most circumstances to allow governments and governmental contractors to collect such material. The committee was sympathetic to the goal of this proposed legislation, but felt the bill had significant problems. It would include seizures by the federal government, thus creating federal-state problems. It includes all those who contract with the government, which makes the scope of this bill extremely large. It would allow individuals to make privacy claims even to materials that the individual had abandoned or discarded at times in the recent or distant past. The exception for law enforcement activity was too narrowly drawn, applying only to materials collected at the actual crime scene, and not found in other relevant locations. The bill would also potentially affect the operations of the Judicial Branch and state regulatory agencies in the performance of their statutory functions. Given the protections already established by law, the committee felt this was a solution in search of a problem. Vote 14-6.

The question being adoption of the committee report of Inexpedient to Legislate. Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 215 NAYS 108

YEAS - 215

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	P	BELKNAP	
Dumais, Russell Russell, David	Fields, Dennis	Flanders, Donald	LeBreche, Shari
	C	ARROLL	
Buco, Thomas Crawford, Karel Ticehurst, Susan	Butler, Edward McConkey, Mark Umberger, Karen	Chandler, Gene Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Ley, Douglas Roberts, Kris Sterling, Franklin	Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Tatro, Bruce	Berch, Paul Hunt, John Pearson, William Sad, Tara Weber, Lucy	Bordenet, John Johnsen, Gladys Phillips, Larry Shepardson, Marjorie
		COOS	
Fothergill, John Rappaport, Laurence	Froburg, Alethea Richardson, Herbert	Hatch, William Tholl, John	Moynihan, Wayne Thomas, Yvonne
	G	RAFTON	
Abel, Richard Ford, Susan Hull, Robert Piper, Wendy White, Andrew	Almy, Susan Hennessey, Erin Ladd, Rick Smith, Suzanne	Brown, Rebecca Hennessey, Martha Maes, Kevin Sykes, George	Cooney, Mary Higgins, Patricia Massimilla, Linda Townsend, Charles
	HILL	SBOROUGH	
Adams, Christopher Belanger, James Coffey, James	Backus, Robert Biggie, Barbara Cohen, Alan	Baroody, Benjamin Brown, Pamela Cornell, Patricia	Beaulieu, Jane Christensen, Chris Cote, David

Coffey, James Cohen, Alan Donovan, Daniel Edwards, Elizabeth Freitas, Mary Gagne, Larry Gonzalez, Carlos Gorman, Mary Haefner, Robert Harvey, Suzanne Infantine, William Jack, Martin Leichman, Pater

Leishman, Peter Long, Patrick
O'Neil, William Palmer, Barry
Porter, Marjorie Proulx, Mark
Rouillard, Claire Rowe, Robert

Baroody, Benjamin Brown, Pamela Cornell, Patricia Flanagan, Jack Gidge, Kenneth Griffin, Barbara Heath, Mary Jeudy, Jean Mangipudi, Latha Peterson, Ken Roberts, Carol Seidel, Carl Beaulieu, Jane Christensen, Chris Cote, David Forest, Armand Goley, Jeffrey Guerette, C. Lee Hinch, Richard Kurk, Neal Manley, Jonathan Pierce, David Rosenwald, Cindy Shattuck, Gilman

Byron, Frank

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Shaw, Barbara Soucy, Timothy Walsh, Robert	Smith, Gregory Sullivan, Daniel Williams, Kermit	Smith, Timothy Takesian, Charlene Wolf, Terry	Snow, Kendall Vann, Ivy
•	ME	RRIMACK	
Aliena Carolatta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Alicea, Caroletta	Ebel, Karen	Frazer, June	Henle, Paul
Doherty, David Kenison, Linda	Kotowski, Frank	Long, Douglas	Luneau, David
MacKay, James	Myler, Mel	Ratzki, Mario	Rice, Chip
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah
	ROC	CKINGHAM	
Abrami, Patrick	Berrien, Skip	Borden, David	Bush, Carol
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cushing, Robert	Devine, James
DiFranco, Debbie	Elliott, Robert	Francese, Paula	Gordon, Pamela
Griffin, Mary	Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Prudhomme-O'Brien, Katherine	Simpson, Alexis	Sweeney, Joe	Sytek, John
Thomas, Douglas	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	
	ST	RAFFORD	
Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Graham, Robert	Gray, James	Horrigan, Timothy	Kaen, Naida
Leeman, Don	Mullen, John	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith Wall, Janet	Sprague, Dale Wuelper, Kurt
Stevens, Audrey	Treleaven, Susan	·	Wasiper, Nait
	-	ULLIVAN	Cattling Curana
Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Smith, Steven		
		AYS - 108	
		BELKNAP	Calleghar Brian
Aldrich, Glen	Fisher, Robert	Fraser, Valerie	Gallagher, Brian Sylvia, Michael
Howard, Jr., Raymond	Hurt, George Vadney, Herbert	Spanos, Peter Varney, Peter	Cyrvia, Michael
Tilton, Franklin	,	•	
	_	CARROLL	Malaan Dill
Avellani, Lino	Comeau, Ed	McCarthy, Frank	Nelson, Bill
Wright, Ted	C	HESHIRE	
McConnell, James	Tilton, Benjamin		
,	•	COOS	
Rideout, Leon			
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Brown, Duane	Darrow, Stephen	Gionet, Edmond	Ingbretson, Paul
Johnson, Eric	нпл	LSBOROUGH	
Ammon Kaith	Balcom, John	Boehm, Ralph	Burt, John
Ammon, Keith	Christianson I are	Christie Rick	Danielson, David

Christie, Rick

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Danielson, David

Eastman, Eric	Edelblut, Frank Hansen, Peter Marston, Dick Moore, Josh O'Brien, William Rice, Kimberly Sullivan, Victoria	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart		Hogan, Edith	Hopper, Gary
LeBrun, Donald		McCarthy, Peggy	McClarren, Donald
McLean, Mark		Murotake, David	Murphy, Keith
Notter, Jeanine		Ohm, Bill	Parison, James
Pellegrino, Anthony		Sanborn, Laurie	Schleien, Eric
Simmons, Tammy		Sweeney, Shawn	Ulery, Jordan
Zaricki, Nick	wantan, violona	owconcy, onawn	Olery, Jordan

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	·

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Friel, William	Gannon, William
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Oligny, Jeffrey	Osborne, Jason
Potucek, John	Rice, Frederick	Schroadter, Adam	Spillane, James
Tilton, Rio	True, Chris	Tucker, Pamela	Vose, Michael

STRAFFORD

Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Turcotte, Leonard		,

SULLIVAN

Laware, Thomas Rollins, Skip and the committee report was adopted.

HB 1522, adopting the Federal Rules of Civil Procedure as law. INEXPEDIENT TO LEGISLATE. Rep. Paul Berch for Judiciary. This bill would seek to supplant the rules of practice and procedure in all state courts of New Hampshire with the Federal Rules of Civil Procedure. At the present time, state court rules, whether governing civil trials, family law matters, probate or other aspects of civil law are promulgated by the New Hampshire Supreme Court, based upon recommendations and input from interested parties including the Advisory Committee on Rules, the New Hampshire General Court, practitioners and the public. In part, these rules may be based on federal experience as well as the experience of courts in other states. All are examined through the lens of what works in the Granite State. This bill would eliminate these finely crafted rules and substitute hundreds of federal rules. An almost unanimous Judiciary Committee, on a bipartisan basis, recommends against this idea. The committee felt that the Federal Rules were designed to mostly operate in one court, while our rules cover multiple courts. Even more importantly, the federal rules were seen to govern mostly complex litigation, such as class action lawsuits, while New Hampshire civil rules govern mostly smaller, day-to-day litigation. The committee found there was no evidence that federal rules are any better in operation than the New Hampshire rules and had further concern that requiring our state to follow federal rules in our courts raised a state sovereignty issue. The bill made no provision for what would happen if the federal rules were amended, which happens frequently. Vote 16-1. Committee report adopted.

HB 1555-FN, relative to the manner in which New Hampshire takes possession of land. INEXPEDIENT TO LEGISLATE.

Rep. Joseph Hagan for Judiciary. This bill purports to be a reform of the eminent domain process. However, this bill would allow the condemnee (property owner) to refuse that compensation after a "value of the property" is made and force the comdemnor (government entity) to wait 180 days to make a new offer. Furthermore, this bill makes no limitations on subsequent referrals. This bill, if enacted, could halt needed takings for roads and other necessary public purposes. Vote 15-3. Committee report adopted.

HB 1570-FN, repealing the law governing access to reproductive health care facilities. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for the Majority of Judiciary. This bill seeks to repeal the law governing citizens' access to public property in front of reproductive health care facilities. The majority believes the current law is an unconstitutional restriction on the people's right to freedom of speech and access to public property. Keeping the law commits the state to years of legal expense defending a law that purports to resolve a problem never substantiated by any documented offense. Vote 11-9. Rep. David Woodbury for the Minority of Judiciary. This bill seeks, for a second time, to repeal RSA 132:37 through 132:40, passed in 2014. The statute is dissimilar to a Massachusetts statute found unconstitutional in 2014 because the buffer zone is smaller and subject to modification as conditions require. The statute strikes a fair balance between the interests of these lawfully using the sidewalks and access ways and those wishing to express their opposition to the abortion procedure. The statute is on hold until the federal court rules and should not be repealed, if at all, until the court rules.

The question being adoption of the majority committee report of Ought to Pass.

Reps. Heffron and Wall spoke against.

Rep. Wuelper spoke in favor.

Ferreira, Elizabeth

Gidge, Kenneth

Haefner, Robert

McCarthy, Peggy

Murotake, David

Rouillard, Claire

Twombly, Timothy

Seidel, Carl

Hopper, Gary

Ohm. Bill

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 160 NAYS 152

YEAS - 160 BELKNAP

		323281 1124	
Aldrich, Glen Fraser, Valerie LeBreche, Shari Vadney, Herbert	Dumais, Russell Gallagher, Brian Spanos, Peter	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Fisher, Robert Hurt, George Tilton, Franklin
	C	ARROLL	
Avellani, Lino McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	CI	HESHIRE	
Hunt, John			
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
,	G	RAFTON	
Brown, Duane Johnson, Eric	Hennessey, Erin	Hull, Robert	Ingbretson, Paul
	HILL	SBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris Eastman, Eric	Ammon, Keith Boehm, Ralph Christie, Rick Edelblut, Frank	Balcom, John Burt, John Coffey, James Edwards, Elizabeth	Belanger, James Byron, Frank Danielson, David Estevez, Eric

Fromuth, Bart

Gould, Linda

Hinch, Richard

LeBrun, Donald

McLean, Mark

Notter, Jeanine

Sanborn, Laurie

Sullivan, Victoria

Zaricki, Nick

Pellegrino, Anthony

Gagne, Larry

Hogan, Edith

Marston, Dick

Moore, Josh

O'Brien, William

Rice. Kimberly

Schleien, Eric

Sweeney, Shawn

Griffin, Barbara

Flanagan, Jack

Hansen, Peter

Murphy, Keith

Palmer, Barry

Rowe, Robert

Ulery, Jordan

Gonzalez, Carlos

Lachance, Joseph

McClarren, Donald

Simmons, Tammy

MERRIMACK

French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian Walsh, Thomas Wheeler, Deborah ROCKINGHAM Abrami, Patrick Abramson, Max Baldasaro, Alfred Bates, David Bush, Carol Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Emerick, J. Tracv Ferrante, Beverly Friel, William Gannon, William Gordon, Richard Green, Dennis Griffin, Mary Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziei, Walter Matthews, Carolyn Milz. David Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Spillane, James Sweeney, Joe Sytek, John Thomas, Douglas Tilton, Rio True, Chris Tucker, Pamela Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth STRAFFORD Cheney, Catherine Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Mullen, John Turcotte, Leonard Wuelper, Kurt SULLIVAN Laware, Thomas Smith, Steven NAYS - 152 BELKNAP Flanders, Donald Russell, David CARROLL Buco, Thomas Butler, Edward Crawford, Karel Ticehurst, Susan Wright, Ted CHESHIRE Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John McConnell, James Pearson, William Phillips, Larry Roberts, Kris Robertson, Timothy Sad, Tara Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Tilton, Benjamin Weber, Lucy COOS Froburg, Alethea Hatch, William Movnihan, Wayne Thomas, Yvonne GRAFTON Abel, Richard Almy, Susan Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Gionet, Edmond Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew HILLSBOROUGH Backus, Robert Beaulieu, Jane Christiansen, Lars Cohen, Alan Cornell, Patricia Cote, David Donovan, Daniel Forest, Armand

Gorman, Mary

Long, Patrick

Peterson, Ken

Infantine, William

Guerette, C. Lee

Mangipudi, Latha

Jack, Martin

Pierce, David

Freitas, Mary

Jeudy, Jean

Harvey, Suzanne

Manley, Jonathan

Goley, Jeffrey

Leishman, Peter

O'Neil, William

Heath, Mary

Porter, Marjorie Shaw, Barbara Soucy, Timothy Walsh, Robert	Proulx, Mark Smith, Gregory Sullivan, Daniel Williams, Kermit	Roberts, Carol Smith, Timothy Takesian, Charlene Wolf, Terry	Rosenwald, Cindy Snow, Kendall Vann, Ivy
	М	ERRIMACK	

Alicea, Caroletta	21/2/21/21	
	Bartlett, Christy	Bradle
Deloge, Helen	Doherty, David	Ebel,
Henle, Paul	Kenison, Linda	Long,

Henle, Paul Kenison, Linda
MacKay, James Marple, Richard
Rice, Chip Rogers, Katherine
Shurtleff, Stephen Turcotte, Alan

lett, Christy Bradley, Paula
erty, David Ebel, Karen
ison, Linda Long, Douglas
ple, Richard Myler, Mel
ers, Katherine Saunderson, George
cotte, Alan Wallner, Mary Jane

Brewster, Michael Frazer, June Luneau, David Ratzki, Mario Schuett, Dianne

ROCKINGHAM

Allen, Mary Cali-Pitts, Jacqueline Devine, James Gordon, Pamela Pantelakos, Laura Berrien, Skip Cardon, G. Thomas DiFranco, Debbie Heffron, Frank Peckham, Michele Borden, David Cook, Allen Elliott, Robert Lovejoy, Patricia Simpson, Alexis

Cahill, Michael Cushing, Robert Francese, Paula McBeath, Rebecca Ward, Gerald

STRAFFORD

Baber, William DiSesa, Len Rollo, Deanna Spang, Judith Wall, Janet Bixby, Peter Gardner, Janice Schmidt, Peter Sprague, Dale Burton, Wayne Horrigan, Timothy Smith, Marjorie Stevens, Audrey

Cilley, Jacalyn Kaen, Naida Southworth, Thomas Treleaven, Susan

SULLIVAN

Cloutier, John Converse, Larry Irwin, Virginia Rollins, Skip Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted and ordered to third reading.

HB 1575-FN, prohibiting certain court filing fees. INEXPEDIENT TO LEGISLATE.

Rep. Claire Rouillard for Judiciary. This bill seeks to prohibit filing fees in all courts for all civil cases, including appeals, in actions against government entities, official or employees. Current law provides a waiver to individuals who do not have the ability to pay these fees. Additionally, current law provides that the prevailing party in a lawsuit is entitled to recover filing fees paid. Also, as worded, this bill would allow all entities, including corporations that bring actions against our government or its employees to avoid filing fees, even if they have the ability to pay. Vote 14-3. Committee report adopted.

HB 1623-FN, prohibiting an abortion based on genetic abnormalities. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Paul Berch for the Majority of Judiciary. This bill seeks to ban abortions based upon prenatal genetic testing. The committee understood the difficult decisions when women and their partners are confronted with a prenatal diagnosis of serious genetic defects. Understanding that women make different decisions based upon their own values, abilities and wisdom, the bipartisan majority of the committee felt it was the right of New Hampshire women to make these difficult decisions themselves, in consultation with medical professionals, rather than by politicians. By making doctors into criminals in certain circumstances, there was a concern that women would be reluctant to have full and candid conversations, jeopardizing doctor-patient relationships. The committee felt that some of the provisions of this bill were of doubtful constitutionality, and other provisions would not work in real life circumstances. Vote 14-5.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that a baby should not be aborted just because she has a genetic marker for an inherited abnormality. Children who carry markers for Down Syndrome should be allowed to grow and become the person they can, not killed by abortion as roughly 90% of those so diagnosed are today. We believe every child has the inalienable right to life and aborting them because of a genetic screening is the ultimate discrimination and should be illegal.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cordelli spoke against. Rep. Berch spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 224 NAYS 88

YEAS - 224 BELKNAP

Aldrich, Glen Dumais, Russell Flanders, Donald Fraser, Valerie Vadney, Herbert	Fields, Dennis Russell, David	Fisher, Robert Spanos, Peter
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CARROLL

Buco, Thomas	Butler, Edward	Comeau, Ed	Crawford, Karel
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger Karen	Wright Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, James	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew	,	7,

	HILI	LSBOROUGH	
Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Cote, David	Donovan, Daniel	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand
Freitas, Mary	Fromuth, Bart	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Infantine, William	Jack, Martin	Jeudy, Jean	Kurk, Neal
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McClarren, Donald	O'Neil, William	Ohm, Bill	Peterson, Ken
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Schleien, Eric	Shaw, Barbara
Smith, Gregory	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Harold

576 Kenison, Linda Long, Douglas Henle, Paul Kuch, Bill MacKay, James Luneau, David Marple, Richard Myler, Mel Saunderson, George Ratzki, Mario Rice, Chip Rogers, Katherine Turcotte, Alan Seaworth, Brian Shurtleff, Stephen Schuett, Dianne Wallner, Mary Jane Walsh, Thomas Wheeler, Deborah ROCKINGHAM Abramson, Max Berrien, Skip Borden, David Abrami, Patrick Cardon, G. Thomas Bush, Carol Cahill, Michael Cali-Pitts, Jacqueline DiFranco, Debbie Cushing, Robert Chase, Francis Christie, Andrew Ferrante, Beverly Francese, Paula Elliott, Robert Emerick, J. Tracy Friel, William Gordon, Pamela Griffin, Mary Guthrie, Joseph Hoelzel, Kathleen Introne, Robert Kolodziej, Walter Heffron, Frank Matthews, Carolyn McBeath, Rebecca Milz, David Lovejoy, Patricia Peckham, Michele Nigrello, Robert Packard, Sherman Pantelakos, Laura Thomas, Douglas Sweeney, Joe Potucek, John Simpson, Alexis Webb, James Vose, Michael Ward, Gerald Ward, Joanne Welch, David Woitkun, Steven Weyler, Kenneth STRAFFORD Bickford, David Bixby, Peter Burton, Wayne Baber, William Gardner, Janice Cheney, Catherine Cilley, Jacalyn DiSesa, Len Kaen, Naida Rollo, Deanna Horrigan, Timothy Hannon, Joseph Southworth, Thomas Spang, Judith Schmidt, Peter Smith, Marjorie Treleaven, Susan Wall, Janet Sprague, Dale Stevens, Audrey **SULLIVAN** Gagnon, Raymond Gottling, Suzanne Cloutier, John Converse, Larry Irwin, Virginia Rollins, Skip Smith, Steven **NAYS - 88 BELKNAP** LeBreche, Shari Tilton, Franklin Gallagher, Brian Howard, Jr., Raymond CARROLL Nelson, Bill McCarthy, Frank Avellani, Lino Cordelli, Glenn COOS Richardson, Herbert Rideout, Leon **GRAFTON** Ingbretson, Paul Johnson, Eric Brown, Duane HILLSBOROUGH B D G Le М

Boehm, Ralph	Burt, John	Christie, Rick	Coffey, James
Danielson, David	Eastman, Eric	Edelblut, Frank	Gagne, Larry
Gould, Linda	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Palmer, Barry	Pellegrino, Anthony	Pierce, David
Rice, Kimberly	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kotowski, Frank	Martin, John	McGuire, Carol	McGuire, Dan

ROCKINGHAM

Allen, Mary Baldasaro, Alfred Bates, David Cook, Allen Dean-Bailey, Yvonne Devine, James Duarte, Joe Gannon, William Gordon, Richard Green, Dennis Harris, Jeffrey Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis O'Connor, John Oligny, Jeffrey Prudhomme-O'Brien, Katherine Rice, Frederick Spillane, James Sytek, John Tilton, Rio True, Chris Tucker, Pamela

STRAFFORD

Graham, Robert Gray, James Groen, Warren Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don Mullen, John Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas and the majority committee report was adopted.

in the medical record of the woman.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hopper moved that the House reconsider it action whereby, on a roll call vote of 160-152, the House adopted the majority committee report of Ought to Pass on **HB 1570-FN**, repealing the law governing access to reproductive health care facilities. Rep. Hopper spoke against.

On a division vote, with 120 members having voted in the affirmative, and 195 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 1625-FN, relative to banning abortion after viability. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for the Majority of Judiciary. This bill as amended prohibits abortions on babies after viability, except when necessary to save the life of the mother or to protect her from "serious risk of substantial and irreversible physical impairment of major bodily function." This language has been vetted through the US Supreme Court and has been in effect in other states for many years. Ever since Roe v. Wade was decided, states have been allowed to prohibit these late term abortions, and at least 17 other states already do. The majority believes that babies who can live outside the mother's womb should be given every opportunity to do so. This bill takes great care to protect the mother's well-being and, in case of criminal proceedings, her anonymity, while doing all we can to give babies the chance to live the lives of which they are capable. Vote 9-8.

Rep. David Woodbury for the Minority of Judiciary. This bill, as amended, seeks to limit and criminalize post-viability abortion, notwithstanding that such abortions are not performed in this state, at least presently. The main defects in this bill are that a second physician's opinion must be obtained if such an abortion is to be performed to protect the life or health of the mother. Such second physician may not be available or willing, with tragic results to mother or child. Secondly, there are onerous and intrusive records to be kept for no discernible reason. Rather than legislate the practice of medicine, it is better to leave the practice of medicine to those best able to do it.

Majority Amendment (0869h)

Amend RSA 132-B:1, X as inserted by section 2 of the bill by replacing it with the following: X. "Unborn child" means the offspring of human beings in the womb.

Amend RSA 132-B:2, II(b) and (c) as inserted by section 2 of the bill by replacing it with the following:

(b) If the physician determines that the gestational age of the unborn child is 21 weeks or more, prior to performing or inducing an abortion upon the woman, the physician shall determine if the unborn child is viable by using and exercising that degree of care, skill, and proficiency commonly exercised by a skillful, careful, and prudent physician. In making this determination of viability, the physician shall perform or cause to be performed such medical examinations and tests as are necessary to make a finding of the gestational age, weight, and lung maturity of the unborn child and shall enter such findings and determination of viability

(c) If the physician determines that the gestational age of the unborn child is 21 weeks or more, and further determines that the unborn child is not viable and performs or induces an abortion upon the woman, the physician shall report such findings and determinations and the reasons for such determinations to the health care facility in which the abortion is performed and to the board of medicine, and shall enter such findings and determinations in the medical records of the woman and in the individual abortion report submitted to the department under paragraph III.

Amend RSA 132-B:2, II(f) and (g) as inserted by section 2 of the bill by replacing it with the following:

- (f) Before a physician proceeds with performing or inducing an abortion upon a woman when it has been determined that the unborn child is viable, the physician who is to perform the abortion shall obtain the agreement of a second physician with knowledge of accepted obstetrical and neonatal practices and standards who shall concur that the abortion is necessary per RSA 132-B:2, II(e). This second physician shall also report such reasons and determinations to the health care facility in which the abortion is to be performed and to the board of medicine, and shall enter such findings and determinations in the medical record of the woman and the individual abortion report submitted to the department. The second physician shall not have any legal or financial affiliation or relationship with the physician performing or inducing the abortion, except that such prohibition shall not apply to physicians whose legal or financial affiliation or relationship is a result of being employed by or having staff privileges at the same hospital, physician network, or hospital network.
- (g) Any physician who performs or induces a termination of pregnancy upon a woman when it has been determined that the unborn child is viable shall utilize the available method or technique of the termination of the pregnancy most likely to preserve the life or health of the unborn child. In cases where the method or technique of the termination of the pregnancy most likely to preserve the life or health of the unborn child would present a greater risk to the life or health of the woman than another legally permitted and available method or technique, the physician may utilize such other method or technique. In all cases where the physician performs an abortion upon a viable unborn child, the physician shall document the method or technique employed.

Amend RSA 132-B:2, III by deleting subparagraph (d) and renumbering the original subparagraph (e) to read as (d).

Amend RSA 132-B:4 as inserted by section 2 of the bill by replacing it with the following:

132-B:4 Penalty. Any person who intentionally or recklessly performs or attempts to perform an abortion in violation of RSA 132-B:2 of this chapter shall be guilty of a class A misdemeanor. No penalty shall be assessed against the woman upon whom the abortion is performed or attempted to be performed. The anonymity of any woman upon whom an abortion has been performed shall be preserved from public disclosure unless she consents.

Amend section 2 of the bill by deleting RSA 132-B:5 and RSA 132-B:6.

On a division vote, with 156 members having voted in the affirmative, and 155 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Marjorie Smith spoke against.

Rep. Wuelper spoke in favor and yielded to questions.

Rep. White requested a roll call; sufficiently seconded.

YEAS 148 NAYS 151

YEAS - 148 BELKNAP

Aldrich, Glen	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Russell, David
Spanos, Peter	Tilton, Franklin		
,	CA	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Fran

McConkey, Mark

Nelson, Bill

Parker, Harold

Schmidt, Stephen

coos

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Brown, Duane Ingbretson, Paul	Gionet, Edmond Johnson, Eric	Hennessey, Erin	Hull, Robert
mgbreison, r aur		OROUGH	
Adams, Christopher Biggie, Barbara Christie, Rick Edelblut, Frank Gould, Linda Hogan, Edith Lachance, Joseph Moore, Josh O'Brien, William Pierce, David Sanborn, Laurie	Ammon, Keith Boehm, Ralph Coffey, James Ferreira, Elizabeth Griffin, Barbara Hopper, Gary LeBrun, Donald Murotake, David Ohm, Bill Rice, Kimberly Seidel, Carl	Balcom, John Burt, John Danielson, David Fromuth, Bart Haefner, Robert Infantine, William Marston, Dick Murphy, Keith Palmer, Barry Rouillard, Claire Simmons, Tammy	Belanger, James Byron, Frank Eastman, Eric Gagne, Larry Hinch, Richard Jeudy, Jean McLean, Mark Notter, Jeanine Pellegrino, Anthony Rowe, Robert Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	
		RIMACK	Haall ID
Brewster, Michael Horn, Werner McGuire, Dan	French, Harold Kotowski, Frank Seaworth, Brian	Hill, Gregory Kuch, Bill Walsh, Thomas	Hoell, J.R. McGuire, Carol
	ROCK	INGHAM	
Abrami, Patrick Barnes, Arthur Cook, Allen Elliott, Robert Gannon, William Harris, Jeffrey Itse, Daniel Matthews, Carolyn Osborne, Jason Prudhomme-O'Brien, Katherine Sytek, John Tucker, Pamela Bickford, David Groen, Warren Leeman, Don Laware, Thomas	Abramson, Max Bates, David Dean-Bailey, Yvonne Emerick, J. Tracy Gordon, Richard Hodgdon, Bruce Kappler, Lawrence Nigrello, Robert Packard, Sherman Rice, Frederick Thomas, Douglas Ward, Joanne STRA Cheney, Catherine Jones, Laura Mullen, John	Allen, Mary Bush, Carol Devine, James Ferrante, Beverly Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis O'Connor, John Peckham, Michele Spillane, James Tilton, Rio Welch, David AFFORD Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard	Baldasaro, Alfred Chase, Francis Duarte, Joe Friel, William Griffin, Mary Introne, Robert Kolodziej, Walter Oligny, Jeffrey Potucek, John Sweeney, Joe True, Chris Weyler, Kenneth Gray, James Knowles, Robert Wuelper, Kurt
		/S - 151	
Fisher, Robert	Vadney, Herbert	LKNAP	
		RROLL	
Buco, Thomas	Ticehurst, Susan	Umberger, Karen	Wright, Ted
		ESHIRE	
Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy	Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin	Berch, Paul Hunt, John McConnell, James Robertson, Timothy Tatro, Bruce	Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Rappaport, Laurence Thomas, Yvonne GRAFTON Abel. Richard Almy, Susan Brown, Rebecca Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles White, Andrew HILLSBOROUGH Backus, Robert Beaulieu, Jane Brown, Pamela Christensen, Chris Cohen, Alan Cornell, Patricia Cote. David Donovan, Daniel Edwards, Elizabeth Forest, Armand Freitas, Mary Gidge, Kenneth Goley, Jeffrey Gorman, Mary Guerette, C. Lee Harvey, Suzanne Heath, Mary Jack, Martin Kurk, Neal Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan O'Neil, William Peterson, Ken Porter, Marjorie Proulx, Mark Roberts, Carol Rosenwald, Cindy Schleien, Eric Shaw, Barbara Smith, Gregory Smith, Timothy Snow, Kendali Soucy, Timothy Sullivan, Daniel Walsh, Robert Takesian, Charlene Vann, Ivy Williams, Kermit Wolf, Terry MERRIMACK Alicea, Caroletta Bartlett, Christy Bradley, Paula Deloge, Helen Doherty, David Ebel, Karen Frazer, June Henle, Paul Kenison, Linda Long, Douglas Luneau, David MacKay, James Martin, John Myler, Mel Ratzki, Mario Rice, Chip Saunderson, George Rogers, Katherine Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah ROCKINGHAM Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Christie, Andrew Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Milz. David Pantelakos, Laura Simpson, Alexis Vose, Michael Ward, Gerald Woitkun, Steven STRAFFORD Baber, William Bixby, Peter Cilley, Jacalyn DiSesa, Len

Baber, William Bixby, Peter Cilley, Jacalyn DiSesa, Len
Gardner, Janice Hannon, Joseph Horrigan, Timothy Kaen, Naida
Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas
Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan
Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Irwin, Virginia Rollins. Skip

and the majority committee report failed.

Rep. Eaton moved the minority committee report of Inexpedient to Legislate.

On a division vote, with 165 members having voted in the affirmative, and 135 in the negative, the minority committee report was adopted...

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Eaton moved that the House reconsider it action whereby, on a division vote of 165-135, the House adopted the minority committee report of Inexpedient to Legislate on **HB 1625-FN**, relative to banning abortion after viability.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 134 NAYS 167

YEAS - 134 BELKNAP

Aldrich, Glen Howard, Jr., Raymond Tilton, Franklin Flanders, Donald LeBreche, Shari Fraser, Valerie Russell, David Gallagher, Brian Spanos, Peter

CARROLL

Avellani, Lino McConkey, Mark Comeau, Ed Nelson, Bill Cordelli, Glenn Schmidt, Stephen

McCarthy, Frank

COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTON

Brown, Duane Johnson, Eric Gionet, Edmond

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christie, Rick Edelblut, Frank Fromuth, Bart Hinch, Richard Jeudy, Jean Moore, Josh O'Brien, William Pierce, David Sanborn, Laurie Twombly, Timothy Ammon, Keith Boehm, Ralph Coffey, James Edwards, Elizabeth Gagne, Larry Hogan, Edith Lachance, Joseph Murotake, David Ohm, Bill Rice, Kimberly Seidel, Carl Ulery, Jordan Balcom, John
Burt, John
Danielson, David
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
LeBrun, Donald
Murphy, Keith
Palmer, Barry
Rouillard, Claire
Simmons, Tammy

Belanger, James Byron, Frank Eastman, Eric Flanagan, Jack Griffin, Barbara Infantine, William McLean, Mark Notter, Jeanine Pellegrino, Anthony Rowe, Robert Sullivan, Victoria

MERRIMACK

Brewster, Michael Horn, Werner McGuire, Dan French, Harold Kuch, Bill Seaworth, Brian Hill, Gregory Martin, John Walsh, Thomas

Hoell, J.R. McGuire, Carol

Bates, David

ROCKINGHAM

Abrami, Patrick Bush, Carol Devine, James Gannon, William Harris, Jeffrey Itse, Daniel Nigrello, Robert Packard, Sherman Spillane, James Tucker, Pamela Abramson, Max Chase, Francis Duarte, Joe Gordon, Richard Hodgdon, Bruce Kappler, Lawrence O'Connor, John Potucek, John Sytek, John Ward, Joanne Baldasaro, Alfred
Cook, Allen
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine

Dean-Bailey, Yvonne Emerick, J. Tracy Griffin, Mary Introne, Robert Kolodziej, Walter Osborne, Jason Rice, Frederick True, Chris Weyler, Kenneth

STRAFFORD

Cheney, Catherine Jones, Laura Mullen, John Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard Gray, James Knowles, Robert Wuelper, Kurt

Tilton, Rio

Welch, David

Groen, Warren Leeman, Don

SULLIVAN

Laware, Thomas

Smith, Steven

NAYS - 167 BELKNAP

Fields, Dennis Fisher, Robert Vadney, Herbert

CARROLL

Buco, Thomas Wright, Ted Parker, Harold

Ticehurst, Susan

Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Shepardson, Marjorie Weber, Lucy Ames, Richard Eaton, Daniel Mann, John Roberts, Kris Sterling, Franklin Berch, Paul Hunt, John McConnell, James Robertson, Timothy Tatro, Bruce Bordenet, John Johnsen, Gladys Pearson, William Sad, Tara Tilton, Benjamin

COOS

Fothergill, John Rappaport, Laurence Froburg, Alethea Thomas, Yvonne Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Sykes, George Almy, Susan Ford, Susan Maes, Kevin Townsend, Charles Brown, Rebecca Hennessey, Erin Massimilla, Linda White, Andrew Cooney, Mary Hennessey, Martha Smith, Suzanne

HILLSBOROUGH

Backus, Robert Cohen, Alan Forest, Armand Gorman, Mary Heath, Mary Long, Patrick O'Neil, William Roberts, Carol Smith, Gregory Sullivan, Daniel

Williams, Kermit

Beaulieu, Jane Cornell, Patricia Freitas, Mary Guerette, C. Lee Jack, Martin Mangipudi, Latha Peterson, Ken Rosenwald, Cindy Smith, Timothy Takesian, Charlene Wolf, Terry Brown, Pamela Cote, David Gidge, Kenneth Haefner, Robert Kurk, Neal Manley, Jonathan Porter, Marjorie Schleien, Eric Snow, Kendall Vann, Ivy Zaricki, Nick Christensen, Chris Donovan, Daniel Goley, Jeffrey Harvey, Suzanne Leishman, Peter Marston, Dick Proulx, Mark Shaw, Barbara Soucy, Timothy Walsh, Robert

MERRIMACK

Alicea, Caroletta Doherty, David Kenison, Linda MacKay, James Rogers, Katherine Turcotte, Alan

Ebel, Karen Kotowski, Frank Myler, Mel Saunderson, George Wallner, Mary Jane

Bartlett, Christy

Bradley, Paula Frazer, June Long, Douglas Ratzki, Mario Schuett, Dianne Wheeler, Deborah Deloge, Helen Henle, Paul Luneau, David Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Allen, Mary Cahill, Michael Cushing, Robert Friel, William Matthews, Carolyn Peckham, Michele Vose, Michael Barnes, Arthur Cali-Pitts, Jacqueline DiFranco, Debbie Gordon, Pamela McBeath, Rebecca Simpson, Alexis Ward, Gerald Berrien, Skip Cardon, G. Thomas Ferrante, Beverly Heffron, Frank Milz, David Sweeney, Joe Woitkun, Steven

Borden, David Christie, Andrew Francese, Paula Lovejoy, Patricia Pantelakos, Laura Thomas, Douglas

STRAFFORD

Baber, William Cilley, Jacalyn Horrigan, Timothy Smith, Marjorie Stevens, Audrey Bickford, David DiSesa, Len Kaen, Naida Southworth, Thomas Treleaven, Susan

Bixby, Peter Gardner, Janice Rollo, Deanna Spang, Judith Wall. Janet Burton, Wayne Hannon, Joseph Schmidt, Peter Sprague, Dale

iley Treibaven, Gusan

wan, oanot

SULLIVAN

Cloutier, John Rollins, Skip

and the motion failed.

Converse, Larry

Gottling, Suzanne

Irwin, Virginia

REGULAR CALENDAR CONT'D

HB 1636-FN, prohibiting abortions once an unborn child can feel pain. WITHOUT RECOM-MENDATION.

Statement in support of Ought to Pass: This bill prohibits abortions after the child can feel pain. Per the US Supreme Court, states may regulate procedures when the medical community is in doubt as they are regarding when the pre-born can feel pain. Given the possibility that babies could suffer severe pain at this stage of life we believe the state should err on the side of protecting them from it. Knowing that anesthesia is common in surgery performed on babies in the womb, we believe that those babies who might experience pain even more than born people should be protected from abortion. Since medical research has indicated that babies may feel pain as early as 20 weeks of age, this bill prohibits abortions after that age. Despite the fact similar laws in the Ninth Circuit have been ruled unconstitutional, we believe that the US Supreme Court might accept a new standard, such as this one, for when states can prohibit abortion if a federal appeals court should do so.

Rep. Kurt Wuelper

Statement in support of Inexpedient to Legislate: This bill seeks to ban abortions at or after 20 weeks except in the case of a medical emergency. It seeks to justify this restriction based upon a claim that a fetus can feel pain at that point in time, a belief disputed by many in the medical profession. The committee heard testimony that this bill is identical in all-important respects to similar laws that have been held to be unconstitutional, including a decision by the United States Supreme Court on January 13, 2014 not to lift a block imposed by the Ninth Circuit of a similar law. Not only did the Supreme Court refuse to allow this kind of statute to be enforced, it also refused to reconsider Roe v. Wade and similar decisions post-Wade requiring "viability" and not gestational age to be the only critical factor in determining constitutionality of this kind of legislation. Other federal and state courts have similarly struck down 20-week bans. Testimony was also received that this bill's reporting requirements impermissibly invade the privacy rights of women; that the health exception as drafted has constitutional issues; and that women faced with the serious and often dangerous complications of late term problems need the best health care possible from their medical providers.

Rep. Paul Berch

Rep. Wuelper moved Ought to Pass.

Rep. Berch spoke against. Rep. Groen spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 122 NAYS 160

YEAS - 122 BELKNAP

Aldrich, Glen Gallagher, Brian Fields, Dennis LeBreche, Shari

Flanders, Donald Spanos, Peter Fraser, Valerie Tilton, Franklin

CARROLL

Avellani, Lino McCarthy, Frank Chandler, Gene Nelson, Bill Comeau, Ed Schmidt, Stephen Cordelli, Glenn

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Brown, Duane Johnson, Eric

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Boehm, Raiph Eastman, Eric Gagne, Larry Hogan, Edith LeBrun, Donald

Murotake, David Ohm, Bill Simmons, Tammy Ammon, Keith Burt, John Edelblut, Frank Gould, Linda Hopper, Gary Marston, Dick Murphy, Keith Pellegrino, Anthony Belanger, James Christie, Rick Ferreira, Elizabeth Griffin, Barbara Infantine, William McLean, Mark Notter, Jeanine Pierce, David Twombly, Timothy

Biggie, Barbara Donovan, Daniel Fromuth, Bart Hinch, Richard Lachance, Joseph Moore, Josh O'Brien, William Seidel, Carl Ulery, Jordan

MERRIMACK

Brewster, Michael Horn, Werner Seaworth, Brian

French, Harold Kotowski, Frank Walsh, Thomas

Sullivan, Victoria

Hill, Gregory McGuire, Carol Hoell, J.R. McGuire, Dan

ROCKINGHAM

Abrami, Patrick Bates, David Devine, James Ferrante, Beverly Harris, Jeffrey Itse. Daniel O'Connor, John Peckham, Michele

Spillane, James Tucker, Pameia Abramson, Max Bush, Carol Duarte, Joe Gannon, William Hodgdon, Bruce Kappler, Lawrence Oligny, Jeffrey Potucek, John Sytek, John Ward, Joanne

Allen, Mary Chase, Francis Elliott, Robert Green, Dennis Hoelzel, Kathleen Kolodziei, Walter Osborne, Jason Prudhomme-O'Brien, Katherine Thomas, Douglas Welch, David

Baldasaro, Alfred Dean-Bailey, Yvonne Emerick, J. Tracy Griffin, Mary Introne, Robert Matthews, Carolyn Packard, Sherman Rice, Frederick True, Chris Weyler, Kenneth

STRAFFORD

Cheney, Catherine Jones, Laura Mullen, John

Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

Gray, James Knowles, Robert Wuelper, Kurt

Groen, Warren Leeman, Don

SULLIVAN

Laware. Thomas

Smith, Steven

NAYS - 160 BELKNAP

Russell, David

Vadney, Herbert

CARROLL

Buco. Thomas Wright, Ted

McConkey, Mark

Ticehurst, Susan

Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Sterling, Franklin Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Tatro, Bruce

Berch, Paul Hunt, John McConnell, James Sad, Tara Tilton, Benjamin

Bordenet, John Johnsen, Gladys Pearson, William Shepardson, Marjorie Weber, Lucy

Moynihan, Wayne

COOS

Hatch, William

Fothergill, John Thomas, Yvonne Tholl, John GRAFTON Cooney, Mary Brown, Rebecca Abel. Richard Almy, Susan Higgins, Patricia Hennessey, Martha Ford, Susan Darrow, Stephen Sykes, George Massimilla, Linda Smith, Suzanne Maes, Kevin Townsend, Charles White, Andrew

Froburg, Alethea

HILLSBOROUGH

Brown, Pamela Beaulieu, Jane Balcom, John Backus, Robert Cornell, Patricia Cohen, Alan Christensen, Chris Byron, Frank Freitas, Mary Forest, Armand Edwards, Elizabeth Cote, David Haefner, Robert Guerette, C. Lee Gorman, Mary Goley, Jeffrey Jeudy, Jean Jack, Martin Heath, Mary Harvey, Suzanne Mangipudi, Latha Long, Patrick Kurk, Neal Leishman, Peter Proulx, Mark Porter, Marjorie Peterson, Ken Manley, Jonathan Rowe, Robert Rouillard, Claire Rosenwald, Cindy Roberts, Carol Snow, Kendall Smith, Timothy Smith, Gregory Shaw, Barbara Vann, Ivy Takesian, Charlene Sullivan, Daniel Soucy, Timothy Wolf, Terry Williams, Kermit Walsh, Robert

MERRIMACK

Bradley, Paula Deloge, Helen Alicea, Caroletta Bartlett, Christy Henle, Paul Frazer, June Doherty, David Ebel, Karen Luneau, David Kuch, Bill Long, Douglas Kenison, Linda Ratzki, Mario Myler, Mel Martin, John MacKay, James Saunderson, George Schuett, Dianne Rice, Chip Rogers, Katherine Wheeler, Deborah Wallner, Mary Jane Shurtleff, Stephen Turcotte, Alan

ROCKINGHAM

Borden, David Cahill, Michael Berrien, Skip Barnes, Arthur Cushing, Robert Cardon, G. Thomas Christie, Andrew Cali-Pitts, Jacqueline Gordon, Pamela Francese, Paula Friel, William DiFranco, Debbie Lovejoy, Patricia McBeath, Rebecca Milz. David Heffron, Frank Sweeney, Joe Pantelakos, Laura Simpson, Alexis Nigrello, Robert Woitkun, Steven Ward, Gerald Vose, Michael Tilton, Rio

STRAFFORD

Bixby, Peter Burton, Wayne Bickford, David Baber, William Horrigan, Timothy Gardner, Janice DiSesa, Len Cilley, Jacalyn Southworth, Thomas Smith, Marjorie Kaen, Naida Schmidt, Peter Treleaven, Susan Stevens, Audrey Sprague, Dale Spang, Judith Wall, Janet

SULLIVAN

Gottling, Suzanne Irwin, Virginia Converse, Larry Cloutier, John

Rollins, Skip and the motion failed.

Rep. Eaton moved Inexpedient to Legislate. Motion adopted.

HB 1660-FN-L, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Rowe for Judiciary. This bill will bring land being taken by eminent domain for a pipeline in line with land taken by eminent domain for transmission lines by a public utility (RSA 371:5-a) by allowing an owner of land to require a pipeline company to take an entire parcel of land under eminent domain. It also requires the consent of a legislative body in the affirmative vote at a special meeting to take land belonging to a municipality, the state or any political subdivision. Additionally this bill requires that entities taking land under eminent domain will pay the Land Use Change Tax (LUCT). Under current law, land taken under eminent domain is exempt from paying the LUCT (RSA 79-A:7, VI). Vote 16-4.

Amendment (0677h)

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Eminent Domain; Residential Owner Option. Amend RSA 371:15 by inserting after paragraph VI the following new paragraph:

VII. When private real property which is used for residential purposes is proposed to be acquired in part, temporarily or permanently, for the construction of a high pressure gas pipeline or appurtenance thereto, the owners of the residential property shall have the option to require the pipeline company to condemn and take in fee the entire tract of land impacted by the proposed partial taking including all buildings and improvements thereon if all owners, excluding lienholders and mortgagees, of the private real property make such an election and provide the commission and the pipeline company with written notice of their election within 30 days after receipt of the notice under paragraph II. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Backus spoke against and yielded to questions.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Abramson requested a roll call; sufficiently seconded.

YEAS 235 NAYS 47

YEAS - 235

	BELKNA
Fields Dennis	Flande

	B	BELKNAP	
Aldrich, Glen Gallagher, Brian Sylvia, Michael	Fields, Dennis LeBreche, Shari Tilton, Franklin	Flanders, Donald Russell, David Vadney, Herbert	Fraser, Valerie Spanos, Peter
	C	ARROLL	
Avellani, Lino Cordelli, Glenn Schmidt, Stephen	Buco, Thomas McCarthy, Frank Ticehurst, Susan	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted
	C	HESHIRE	
Abbott, Michael Hunt, John Phillips, Larry Sterling, Franklin	Ames, Richard Ley, Douglas Roberts, Kris Tilton, Benjamin	Bordenet, John McConnell, James Robertson, Timothy	Eaton, Daniel Pearson, William Shepardson, Marjorie
		COOS	
Fothergill, John Rappaport, Laurence	Froburg, Alethea Richardson, Herbert	Hatch, William Rideout, Leon	Moynihan, Wayne Tholl, John
	G	RAFTON	
Abel, Richard Cooney, Mary Hennessey, Erin	Almy, Susan Darrow, Stephen Hennessey, Martha	Brown, Duane Ford, Susan Higgins, Patricia	Brown, Rebecca Gionet, Edmond Hull, Robert

Johnson, Fric HILLSROPOUCH

Inobretson, Paul

	III EESBOROUGII			
Adams, Christopher	Ammon, Keith	Balcom, John	Beaulieu, Jane	
Belanger, James	Biggie, Barbara	Boehm, Ralph	Brown, Pamela	
Burt, John	Byron, Frank	Christensen, Chris	Christie, Rick	
Coffey, James	Cohen, Alan	Cornell, Patricia	Danielson, David	

Ladd. Rick

White, Andrew

Donovan, Daniel
Ferreira, Elizabeth
Griffin, Barbara
Hopper, Gary
Lachance, Joseph
Marston, Dick
Murphy, Keith
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Smith, Gregory
Twombly, Timothy
Wolf, Terry

Eastman, Eric Flanagan, Jack Haefner, Robert Jack, Martin LeBrun, Donald McLean, Mark Notter, Jeanine Peterson, Ken Rice, Kimberly Seidel, Carl Snow, Kendall Ulery, Jordan Edelblut, Frank Gagne, Larry Hinch, Richard Jeudy, Jean Leishman, Peter Moore, Josh O'Brien, William Pierce, David Roberts, Carol Shaw, Barbara Sullivan, Victoria Vann, Ivy

Edwards, Elizabeth Gould, Linda Hogan, Edith Kurk, Neal Manley, Jonathan Murotake, David Ohm, Bill Porter, Marjorie Rouillard, Claire Simmons, Tammy Takesian, Charlene Williams, Kermit

MERRIMACK

Brewster, Michael Hill, Gregory Kuch, Bill McGuire, Dan Seaworth, Brian Walsh, Thomas Ebel, Karen Hoell, J.R. Long, Douglas Myler, Mel Shurtleff, Stephen Wheeler, Deborah French, Harold Horn, Werner Martin, John Ratzki, Mario Turcotte, Alan Henle, Paul Kotowski, Frank McGuire, Carol Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Duarte, Joe
Gannon, William
Harris, Jeffrey
Introne, Robert
Matthews, Carolyn
Oligny, Jeffrey
Peckham, Michele
Simpson, Alexis
Thomas, Douglas
Vose, Michael
Weyler, Kenneth

Abramson, Max
Bates, David
Cardon, G. Thomas
Dean-Bailey, Yvonne
Emerick, J. Tracy
Gordon, Pamela
Heffron, Frank
Itse, Daniel
Milz, David
Osborne, Jason
Potucek, John
Spillane, James
Tilton, Rio
Ward, Gerald
Woitkun, Steven

Allen, Mary
Berrien, Skip
Chase, Francis
Devine, James
Ferrante, Beverly
Gordon, Richard
Hodgdon, Bruce
Kappler, Lawrence
Nigrello, Robert
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris

Baldasaro, Alfred Bush, Carol Christie, Andrew DiFranco, Debbie Francese, Paula Griffin, Mary Hoelzel, Kathleen Kolodziej, Walter O'Connor, John Pantelakos, Laura Rice, Frederick Sytek, John Tucker, Pamela Welch, David

STRAFFORD

Baber, William Cheney, Catherine Gray, James Kaczynski, Jr., Thomas Smith, Marjorie Treleaven, Susan Bickford, David Cilley, Jacalyn Groen, Warren Knowles, Robert Southworth, Thomas Turcotte, Leonard Bixby, Peter DiSesa, Len Horrigan, Timothy Leeman, Don Spang, Judith Wall, Janet

Ward, Joanne

Burton, Wayne Graham, Robert Jones, Laura Mullen, John Stevens, Audrey Wuelper, Kurt

SULLIVAN

Cloutier, John Smith, Steven Irwin, Virginia

Laware, Thomas

Rollins, Skip

NAYS - 47 BELKNAP

Howard, Jr., Raymond

CHESHIRE

Berch, Paul Johnsen, Gladys Mann, John Tatro, Bruce

		coos	
	roburg, Alethea homas, Yvonne	Hatch, William	Moynihan, Wayne
THOII, JOHN	•	GRAFTON	
Ford, Susan Hingins, Patricia	Almy, Susan Gionet, Edmond Maes, Kevin Fownsend, Charles	Brown, Rebecca Hennessey, Erin Massimilla, Linda White, Andrew	Cooney, Mary Hennessey, Martha Smith, Suzanne
5 ,, 222 5	HIL	LSBOROUGH	
Byron, Frank Cote, David Gidge, Kenneth Harvey, Suzanne Kurk, Neal Manley, Jonathan Rosenwald, Cindy Smith, Timothy Takesian, Charlene	Beaulieu, Jane Christensen, Chris Edwards, Elizabeth Goley, Jeffrey Heath, Mary Leishman, Peter Peterson, Ken Rouillard, Claire Snow, Kendall Vann, Ivy	Belanger, James Cohen, Alan Forest, Armand Gorman, Mary Jack, Martin Long, Patrick Porter, Marjorie Shaw, Barbara Soucy, Timothy Walsh, Robert	Brown, Pamela Cornell, Patricia Freitas, Mary Guerette, C. Lee Jeudy, Jean Mangipudi, Latha Roberts, Carol Smith, Gregory Sullivan, Daniel Williams, Kermit
Wolf, Terry		MERRIMACK	
Alicea, Caroletta Ebel, Karen Kuch, Bill Myler, Mel Saunderson, George Wallner, Mary Jane	Bartlett, Christy Frazer, June Long, Douglas Ratzki, Mario Schuett, Dianne Wheeler, Deborah	Deloge, Helen Henle, Paul Luneau, David Rice, Chip Seaworth, Brian	Doherty, David Kenison, Linda MacKay, James Rogers, Katherine Shurtleff, Stephen
,	R	OCKINGHAM	
Berrien, Skip Cardon, G. Thomas DiFranco, Debbie Gordon, Pamela McBeath, Rebecca Prudhomme-O'Brien, Katherine Vose, Michael	Borden, David Chase, Francis Elliott, Robert Heffron, Frank Nigrello, Robert Simpson, Alexis Ward, Gerald	Cahill, Michael Christie, Andrew Ferrante, Beverly Introne, Robert Oligny, Jeffrey Sweeney, Joe	Cali-Pitts, Jacqueline Cushing, Robert Francese, Paula Lovejoy, Patricia Pantelakos, Laura Tilton, Rio
7000, 11101100		STRAFFORD	
Baber, William Cilley, Jacalyn Schmidt, Peter Sprague, Dale	Bickford, David DiSesa, Len Smith, Marjorie Stevens, Audrey	Bixby, Peter Horrigan, Timothy Southworth, Thomas Treleaven, Susan	Burton, Wayne Kaen, Naida Spang, Judith Wall, Janet
op.ugus,		SULLIVAN	
Cloutier, John	Converse, Larry	Gottling, Suzanne	Irwin, Virginia
		NAYS - 122	
		BELKNAP	
Aldrich, Glen Howard, Jr., Raymond	Flanders, Donald LeBreche, Shari	Fraser, Valerie Spanos, Peter	Gallagher, Brian Tilton, Franklin
		CARROLL	
Avellani, Lino McCarthy, Frank	Chandler, Gene McConkey, Mark	Comeau, Ed Nelson, Bill	Cordelli, Glenn Schmidt, Stephen

CHESHIRE

McConnell, James

COOS

Rappaport, Laurence Richardson, Herbert

Rideout, Leon

GRAFTON

Brown, Duane Johnson, Eric

Darrow, Stephen Ladd, Rick

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Christie, Rick Eastman, Eric Gould, Linda Hogan, Edith Marston, Dick Murphy, Keith Pellegrino, Anthony

Biggie, Barbara Coffey, James Edelblut, Frank Griffin, Barbara Hopper, Gary McLean, Mark Notter, Jeanine Pierce, David

Simmons, Tammy

Boehm, Ralph Danielson, David Ferreira, Elizabeth Haefner, Robert Lachance, Joseph Moore, Josh O'Brien, William Rice, Kimberly Sullivan, Victoria

Burt, John Donovan, Daniel Gagne, Larry Hinch, Richard LeBrun, Donald Murotake, David Ohm, Bill Rowe, Robert Twombly, Timothy

MERRIMACK

Brewster, Michael Horn, Werner McGuire, Dan

Seidel, Carl

Ulery, Jordan

French, Harold Kotowski, Frank Walsh, Thomas Hill, Gregory Martin, John

Hoell, J.R. McGuire, Carol

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Duarte, Joe Green, Dennis Hoelzel, Kathleen Matthews, Carolyn Peckham, Michele Sytek, John Ward, Joanne

Abramson, Max Bates, David Emerick, J. Tracy Griffin, Mary Itse, Daniel Milz, David Potucek, John Thomas, Douglas Welch, David

Allen, Mary Bush, Carol Gannon, William Harris, Jeffrey Kappler, Lawrence O'Connor, John Rice, Frederick True, Chris Weyler, Kenneth Baldasaro, Alfred Dean-Bailey, Yvonne Gordon, Richard Hodgdon, Bruce Kolodziej, Walter Packard, Sherman Spillane, James Tucker, Pamela

STRAFFORD

Cheney, Catherine Jones, Laura Mullen, John Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

Gray, James Knowles, Robert Wuelper, Kurt

Groen, Warren Leeman, Don

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted.

HB 1684-FN, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. **WITHOUT RECOMMENDATION**.

Statement in support of Ought to Pass with Amendment: This bill prohibits the use of public funds, employees, and facilities in the assisting or performing of abortions. While the right to an abortion is guaranteed following the 1973 Roe v Wade case, the current public disagreement on the matter has led to the barring of federal and, in many cases, state funds to pay for abortion. These restrictions on funding have been held up as constitutional for almost 40 years. New Hampshire, like 32 other states, follows the federal standard established by the current version of the Hyde Amendment and bans the use of Medicaid funds to pay for abortions except in limited cases. This bill expands the funding ban from Medicaid to all public funds and it eliminates the involvement of state employees and facilities in

abortion except in the case of preserving the life of the mother. Abortions are currently performed in over a dozen facilities throughout the state, all of which are private hospitals or clinics. As a result of this fact, a large portion of the committee felt that this bill would not limit a woman's access to abortion, but that it would insulate taxpayers who object to having to fund a procedure they do not condone. Rep. Mark McLean

Statement in support of Inexpedient to Legislate: This bill would restrict the use of public funds for abortion when in fact the use of public funds for abortion is already limited to very rare and narrow circumstances. It also would disqualify New Hampshire from receiving nearly \$750,000 per year in federal family planning funds and funds for preventive care like cancer screenings, access to birth control and annual well-woman exams. This bill would result in the defunding of family planning providers such as community health centers who provide critical and important care that actually reduces unintended pregnancy and the need for abortion. It also would prevent public employees from fulfilling their responsibilities when working with teens in foster care or female inmates, all who may need information about pregnancy options and providing such information or support would be outlawed under this bill.

Rep. Charlene Takesian

Rep. McLean moved Ought to Pass and offered floor amendment (0874h).

Floor Amendment (0874h)

Amend RSA 132:43 as inserted by section 1 of the bill by replacing it with the following:

132:43 Public Employees; Certain Activities Prohibited. It shall be unlawful for any public employee within the scope of his or her employment to perform an abortion not necessary to save the life of the mother. It shall be unlawful for a doctor, nurse, or other health care personnel, a social worker, a counselor, or a person of similar occupation who is a public employee within the scope of his or her public employment to encourage or counsel a woman to have an abortion not necessary to save her life.

AMENDED ANALYSIS

This bill prohibits the use of public funds and public facilities for the purpose of performing or assisting in an abortion which is not necessary to save the life of the mother. The bill also prohibits the use of public employees for the purpose of performing an abortion which is not necessary to save the life of the mother.

The bill also prohibits such funds, employees, and facilities to be used to encourage or counsel a woman to have an abortion not necessary to save her life.

The bill further requires a second opinion from a licensed physician before any abortion is performed when a mother's life is deemed to be in danger.

The bill includes penalty provisions for violations of this law.

Rep. McLean spoke in favor.

On a division vote, with 134 members having voted in the affirmative, and 139 in the negative, floor amendment (0874h) failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Takesian spoke against.

Rep. McLean spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 131 NAYS 146

YEAS - 131 BELKNAP

Gallagher, Brian Fraser, Valerie Fields, Dennis Aldrich, Glen Svlvia, Michael Spanos, Peter LeBreche, Shari Howard, Jr., Raymond Tilton, Franklin

CARROLL

McCarthy, Frank Cordelli, Glenn Comeau, Ed Avellani, Lino Schmidt, Stephen Nelson, Bill McConkey, Mark

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·	v	v	2

		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
		GRAFTON	
Brown, Duane Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Gionet, Edmond	Hull, Robert
	HIL	LSBOROUGH	
Adams, Christopher Burt, John Danielson, David Ferreira, Elizabeth	Balcom, John Byron, Frank Donovan, Daniel Gagne, Larry	Biggie, Barbara Christie, Rick Eastman, Eric Gould, Linda	Boehm, Raiph Coffey, James Edelblut, Frank
Haefner, Robert Jeudy, Jean Moore, Josh Ohm, Bill Rouillard, Claire Twombly, Timothy	Hinch, Richard Lachance, Joseph Murotake, David Pellegrino, Anthony Seidel, Carl	Hogan, Edith Marston, Dick Murphy, Keith Pierce, David Simmons, Tammy	Griffin, Barbara Hopper, Gary McLean, Mark Notter, Jeanine Rice, Kimberly Sullivan, Victoria
r wombry, r imothy	Ulery, Jordan	Wolf, Terry	ounitary violona
	ME	RRIMACK	
Brewster, Michael Horn, Werner McGuire, Dan	French, Harold Kuch, Bill Seaworth, Brian	Hill, Gregory Martin, John Walsh, Thomas	Hoell, J.R. McGuire, Carol
	ROC	CKINGHAM	
Abrami, Patrick Barnes, Arthur Dean-Bailey, Yvonne Gannon, William Harris, Jeffrey Kappler, Lawrence Oligny, Jeffrey Prudhomme-O'Brien, Katherine Thomas, Douglas Vose, Michael Cheney, Catherine Jones, Laura Mullen, John	Abramson, Max Bates, David Devine, James Gordon, Richard Hodgdon, Bruce Kolodziej, Walter Packard, Sherman Rice, Frederick Tilton, Rio Ward, Joanne STR Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard	Allen, Mary Bush, Carol Duarte, Joe Green, Dennis Hoelzel, Kathleen Matthews, Carolyn Peckham, Michele Spillane, James True, Chris Welch, David CAFFORD Gray, James Knowles, Robert Wuelper, Kurt LLIVAN	Baldasaro, Alfred Chase, Francis Emerick, J. Tracy Griffin, Mary Itse, Daniel O'Connor, John Potucek, John Sytek, John Tucker, Pamela Weyler, Kenneth Groen, Warren Leeman, Don
Laware, Thomas	Rollins, Skip	Smith, Steven	
Flanders, Donald		YS - 146 LKNAP Vadney, Herbert	
	CA	RROLL	
Buco, Thomas Wright, Ted	Chandler, Gene	Ticehurst, Susan	Umberger, Karen
	СНІ	ESHIRE	
Eaton, Daniel	Ames, Richard Hunt, John	Berch, Paul Johnsen, Gladys	Bordenet, John Ley, Douglas
Roberts, Kris	McConnell, James Robertson, Timothy Weber, Lucy	Pearson, William Shepardson, Marjorie	Phillips, Larry Sterling, Franklin

COOS

Thomas, Yvonne Moynihan, Wayne Hatch, William Froburg, Alethea GRAFTON Cooney, Mary Brown, Rebecca Almy, Susan Abel. Richard Higgins, Patricia Hennessey, Martha Hennessey, Erin Ford, Susan Smith, Suzanne Massimilla, Linda Maes, Kevin Ladd, Rick White, Andrew Townsend, Charles Sykes, George HILLSBOROUGH Brown, Pamela Belanger, James Beaulieu, Jane Backus, Robert Cote, David Cornell, Patricia Cohen, Alan Christensen, Chris Golev, Jeffrey Gidge, Kenneth Freitas, Mary Forest, Armand Jack, Martin Heath, Mary Harvey, Suzanne Gorman, Mary Long, Patrick Leishman, Peter LeBrun, Donald Kurk, Neal Porter, Marjorie Peterson, Ken Manley, Jonathan Mangipudi, Latha Rowe, Robert Rosenwald, Cindy Roberts, Carol Proulx, Mark Snow, Kendall Smith, Timothy Smith, Gregory Shaw, Barbara Vann, Ivy Takesian, Charlene Sullivan, Daniel Soucy, Timothy Williams, Kermit Walsh, Robert **MERRIMACK** Doherty, David Deloge, Helen Bartlett, Christy Alicea, Caroletta Kenison, Linda Henle, Paul Frazer, June Ebel, Karen MacKay, James Luneau, David Long, Douglas Kotowski, Frank Rogers, Katherine Rice, Chip Ratzki, Mario Myler, Mel Wallner, Mary Jane Shurtleff, Stephen Schuett, Dianne Saunderson, George Wheeler, Deborah ROCKINGHAM Cali-Pitts, Jacqueline Cahill, Michael Borden, David Berrien, Skip DiFranco, Debbie Cushing, Robert Christie, Andrew Cardon, G. Thomas Gordon, Pamela Francese, Paula Ferrante, Beverly Elliott, Robert McBeath, Rebecca Loveiov, Patricia Introne, Robert Heffron, Frank Simpson, Alexis Pantelakos, Laura Nigrello, Robert Milz, David Ward, Gerald Sweeney, Joe STRAFFORD Burton, Wayne Bixby, Peter Bickford, David Baber, William Kaen, Naida Horrigan, Timothy DiSesa, Len Cilley, Jacalyn Spang, Judith Southworth, Thomas Smith, Marjorie Schmidt, Peter Wall, Janet Treleaven, Susan Stevens, Audrey Sprague, Dale **SULLIVAN**

Irwin, Virginia Gottling, Suzanne Converse, Larry Cloutier, John

and the motion failed.

Rep. Rosenwald moved Inexpedient to Legislate.

Motion adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. White moved that the House reconsider it action whereby, on a voice vote, the House adopted the motion of Inexpedient to Legislate on HB 1663-FN, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion. Rep. White spoke against.

Motion failed.

REGULAR CALENDAR CONT'D

HB 1687-L, relative to governmental liability for personal injury on playground structures. INEX-PEDIENT TO LEGISLATE.

Rep. Linda Kenison for Judiciary. This bill would hold that a municipality or a school district, which without charge permits any person to use playground structures operated by the municipality or school district, may be held liable for damages in an action to recover for bodily injury, person injury or property damage. This bill greatly expands municipal liability for personal injury claims. There was overwhelming opposition to this bill, including representatives of school boards, school administrators, municipalities, and recreation programs. This bill would eliminate longstanding municipal and school district immunities. It would undoubtedly increase lawsuits for just about any injury that could occur at a playground. This would then result in higher insurance costs and legal expenses and would likely cause some municipalities and schools districts to consider eliminating some programs and services. Vote 19-1. Committee report adopted.

HB 1688-FN-L, relative to governmental liability for negligence claims. INEXPEDIENT TO LEGISLATE.

Rep. Claire Rouillard for Judiciary. This bill was a request of a study committee that studied governmental immunity. The amendment to current law would allow suits against town or municipal employees or officials. It would expand current law which limits suits for injuries when the injury arises out of the operation of a motor vehicle or an injury occurring on a premises. This bill may hinder volunteers' willingness to sit on town boards for fear of being sued. It may also increase suits against schools for anything that may go wrong. Vote 18-2. Committee report adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, March 10, 2016 at 9:00 a.m.

LATE SESSION

Third Reading and Final Passage

HB 1430-FN, relative to registration of compact utility tractors.

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

HB 1237, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children.

HB 1279, relative to grounds for termination of parental rights.

HB 1105, establishing a committee to study third party mortgage processors.

HB 1152, relative to the definition of specialty beer.

HB 1195, relative to prepayment contracts for petroleum products.

HB 1211, relative to requirements for certain alcoholic beverage licenses.

HB 1264, relative to carnival or amusement ride inspections.

HB 1307, relative to the procedure for amendment of condominium instruments.

HB 1316, relative to hospital rates for self-pay patients.

HB 1403, relative to reinsurance.

HB 1409, relative to life, accident, and health insurance.

HB 1410, relative to motor vehicle coverage.

HB 1450, relative to risk-based capital for insurers.

HB 1459, relative to commercial coverage.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.

HB 1601, relative to certain continuing care communities.

HB 1618, relative to debt adjustment services.

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections.

HB 1266, legalizing firecrackers.

HB 1287, repealing a provision of the harassment statute.

HB 1305, relative to the use of an ignition interlock device.

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop.

HB 1381-FN, relative to the sale of smoke bombs.

HB 1415, relative to escape from official custody.

HB 1426-FN, relative to earned time credits for prisoners participating in educational programming.

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age.

HB 1654-FN, relative to flying a drone above a correctional facility.

HB 1121, relative to the academic areas that comprise the statewide assessment.

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

HB 1239, relative to certain terminology in the education statutes.

HB 1283, relative to school notification of a change in placement.

HB 1303, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.

HB 1408-FN, relative to a school building inventory.

HB 1114, relative to the number of inspectors of election.

HB 1220, relative to disqualification of election officers.

HB 1223, relative to changes of address on election day.

HB 1377, relative to receipt of absentee ballots.

HB 1378, relative to disabled voters requiring assistance.

HB 1467, relative to notice of village district elections.

HB 1503, relative to distributing campaign materials at the polling place.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.

HB 1534, relative to reports of death of voters.

HB 1624-FN, relative to electioneering by public employees.

HB 1141, defining "agritourism."

HB 1171, relative to appeals heard by the waste management council.

HB 1354, establishing a committee to study livestock and meat inspection.

HB 1355, relative to poultry producers exempted from meat inspection requirements.

HB 1226, relative to administration of pharmaceutical agents by optometrists.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1246-FN, relative to speech-language assistants.

HB 1294, relative to exemptions from licensure as a massage therapist.

HB 1357, relative to the duties of the department of cultural resources.

HB 1588, repealing certain prohibitions on employment of state employees.

HB 231, relative to the criteria for evaluating school building aid applications. SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses.

HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department.

HB 1286, relative to days when fishing without a license is permitted.

HB 1388-FN, expanding crossbow use into muzzeloader season.

HB 1124, relative to the membership of the occupational therapy governing board.

HB 1138, relative to access to investigational drugs, biological products, and devices.

HB 1210, relative to prescriptions for controlled drugs by telemedicine.

HB 1269, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

HB 1285, relative to the donation of food that has passed its expiration date.

HB 1394, relative to the appropriation for developmental services.

HB 1423-FN, relative to rulemaking for prescribing controlled drugs.

HB 1490, relative to collaborative practice between pharmacists and health care practitioners.

HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

HB 1665-FN, adopting the interstate medical licensure compact.

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies.

HB 1419, relative to voting records in nonpublic sessions of public bodies.

HB 1569-FN, relative to volunteers under the department of resources and economic development.

HB 1331, relative to the membership of the compensation appeals board.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation.

HB 1486, relative to membership of the state house bicentennial commission.

HCR 12, urging support of the 65/25 initiative in New Hampshire.

HB 1164, relative to contributions by a city to the county or state. HB 1181, relative to designating an alternate cemetery trustee.

HB 1202, relative to applications submitted to a planning board.

HB 1203, relative to voting on variances.

HB 1244-L, relative to municipal cemeteries.

HB 1293, relative to the procedure for charter amendments. HB 1315, adding mixed-use development to the definition of business and industrial facility.

HB 1395, relative to municipal electronic records.

HB 1587, relative to limitations on capital reserve funds of counties.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial.

HB 1147, requiring a report on federal landholdings within the state.

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain. HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

HB 1461, relative to the definition of and criteria for protection instream flow.

HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds.

HB 1595-FN, relative to the rivers management and protection program.

HB 1156, relative to interference with traffic devices.

HB 1161, relative to the traffic safety commission.

HB 1186, repealing the law prohibiting coasting of vehicles.

HB 1271, making certain length and width exemptions concerning commercial vehicles. HB 1302, relative to driver's license requirements for operation of a mixed use school bus.

HB 1396, relative to OHRV operation on certain highways in Grafton County.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.

HB 1197, relative to conservation number plate funds.

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels.

HB 1208-FN, relative to administration of the tobacco tax.

HB 1289, making technical corrections to certain tax laws.

HB 1290, relative to filing dates for business taxes.

HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax.

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds

HB 1656-FN, relative to exceptions to the real estate transfer tax.

HB 1689, relative to operator requirements under the meals and rooms tax.

HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.

HB 1356, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

HB 1468, relative to sessions for correction of the checklist.

HB 1482, relative to the Interstate Voter Registration Crosscheck Program.

HOUSE JOURNAL NO. 9

Thursday, March 10, 2016

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O God, our Creator, Redeemer and Sanctifier, out of the depths of Your love You chose to set Your people free from the bonds of archaic laws. You blessed our ancestors with free will and gave them the insight to use it wisely. As we navigate our way through life's challenging terrain, help us to remember that we too have that freedom; we too have been blessed with the ability to use it wisely. Deliver us from the temptation to be self-serving in our endeavors. When we are weary, strengthen our resolve so that we finish what we begin. Hold us back from choosing the easy way and sacrificing the quality of our work. Keep us focused on the life purpose You have inspired in each of us, never forgetting that everything we do affects the lives of countless people - many of whom rely on us as their advocates and champions. As we respond to their trust and strive to meet their needs, protect us from arrogance and false pride, and give us the joy of using our divine gift of free will and knowing that we have chosen well. Amen.

Representative Thomas Buco, member from Conway, led the Pledge of Allegiance.

The member from Walpole, Representative Lucy Weber and the member from New London, Representative Karen Ebel, led the singing of the National Anthem.

MOTION TO SUSPEND HOUSE RULES

Rep. Hannon moved that House Rules be so far suspended as to permit late drafting and introduction of a Constitutional Amendment Concurrent Resolution relating to alcohol abuse and prevention and treatment. Providing that no less than 5 percent of the gross profits of the liquor commission be appropriated to alcohol education, and abuse prevention and treatment programs, past the deadline for reporting from committee.

Rep. Hannon spoke in favor.

Rep. Lynne Ober spoke against and yielded to questions.

On a division vote, with 81 members having voted in the affirmative and 203 in the negative, the motion failed.

LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Comtois, Emerson, Forest, Gardner, Gargasz, Gordon, Kellogg, McClarren, Moody, Oxenham, Phillips, Priestley, Sanders and Straight, the day, illness. Reps. Bennett, Goulette, Hagan, Hirsch, Lundgren, Nordgren, William O'Brien, O'Hearne, O'Neil, Sherman, Souza, Whitehouse and Woodbury, the day, important business.

Reps. Booras and Rebecca Brown, the day, illness in the family.

INTRODUCTION OF GUESTS

Alec Drummond, student at Littleton High School, and Cailee Griffin, student at Timberlane Regional High School, Pages for the day.

The Honorable Lenette Peterson, former member from Merrimack, guest of Rep. Notter.

REGULAR CALENDAR CONT'D FROM MARCH 9, 2016

HB 1252, permitting employers to pay wages to employees weekly or biweekly. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would allow, but not require, employers to pay their employees on a bi-weekly basis without the necessity of requesting an exemption from the Department of Labor (DOL). Current law requires the payment of wages on a weekly basis unless a waiver is requested. Employers would see a reduction in administrative costs due to less time being required to process payroll and they would no longer have to file paperwork for waivers. There would also be a reduction in administrative workload at HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.

HB 242, relative to the statewide improvement and assessment program.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.

HB 1591-FN-A, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis.

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry.

HB 1175-FN, relative to post-judgment real estate liens.

HB 1270, relative to a jury's determination as to the applicability of a law.

HB 1493, relative to ownership of DNA.

HB 1570-FN, repealing the law governing access to reproductive health care facilities.

HB 1660-FN-L, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports. Motion adopted.

The House recessed at 8:10 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

the DOL since they would no longer need to process the thousands of waiver requests. Currently, there are only three other states that require the payment of wages on a weekly basis, and some states allow the payment of wages at intervals as long as a month. The committee amendment to allow the DOL to impose stricter, weekly payment of wages after showing good cause was introduced to ensure employers remain compliant and current on wage payments to employees. Reducing unnecessary regulations and red tape make this bill extremely attractive. Additionally, allowing the employer and employee to determine their business relationship maintains our state's free market principles. Vote 13-9.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. The proposed bill makes biweekly pay the default or standard for employees and employers, rather than the existing weekly pay standard. At present, employers can seek permission to adopt a biweekly pay system, and unless there is a problem, the request is invariably approved by the Department of Labor. Therefore, this bill solves a non-existent problem, but will encourage more employers to pay biweekly, which will make budgeting more difficult for low-wage workers currently living paycheck to weekly paycheck. To protect such individuals, the minority opposes this bill.

Majority Amendment (0763h)

Amend the bill by replacing all after section 3 with the following:

4 New Paragraph; Payment of Wages; Weekly. Amend RSA 275:43 by inserting after paragraph IV-a the following new paragraph:

IV-b. The commissioner may, on a temporary basis and after showing good and sufficient reason, require payment of wages weekly. The commissioner shall prescribe to the employer the terms, conditions, and duration of such temporary payments. Such restrictions shall only be in effect until the employer rectifies any deficiencies prescribed by the commissioner.

5 Effective Date. This act shall take effect 60 days after its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 176 members having voted in the affirmative, and 112 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1301, relative to the issuance of youth employment certificates. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. Parents of children who attend private schools or home school find it counter intuitive for the public school principal of their local school district to determine a satisfactory level of academic performance by the student in order to issue a work certificate for youths under age 16. The majority of the committee agreed that with roughly 10% of our student population attending school other than their local school district, allowing parents the option of being the authorizer of the work certificate is the right option. The amendment requires the parent or guardian to provide 48 hour notice to the Department of Labor and employer when a certificate is revoked; all certificates shall be notarized; and employers in violation of this provision shall be subject to a \$100 civil penalty. Vote 11-8.

Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. The bill as amended permits parents or legal guardians to authorize any student between 14 and 16 years old to enter the workforce. Current law requires this certification to be issued by school principals, all testimony concluded the current system is working extremely well for the vast majority of our students, with some complications being encountered by home schooled students. The minority does not object to a parent or guardian approving a work certificate for home schooled students; in fact that makes perfect sense. However, passage of this bill as presented could allow students in public schools with poor academic performance to work, potentially further complicating their academic difficulties with no ability of the school to revoke the work certificate until the student's academic performance improves. There is also the potential for an unscrupulous parent or guardian to essentially compel a student to work. The minority amendment would allow a parent or guardian to authorize a home schooled student to work and would place the academic head of a private school in the same standing as the principal of a public school for these purposes.

Majority Amendment (0587h)

Amend the bill by replacing section 1 with the following:

1 Youth Employment Law; Certificates. Amend RSA 276-A:5 to read as follows: 276-A:5 Certificate.

I. Certificates shall be issued by principals of schools or persons authorized by them, or by a parent or legal guardian, only after the determination of a satisfactory level of academic performance by the student, except that responsibility for supervision and coordination with the department in matters pertaining to this chapter shall rest upon superintendents of schools. If a student does not continue to meet a satisfactory level of academic performance after the issuance of the certificate, the principals of schools or persons authorized by them, or a parent or legal guardian, may revoke the certificate. In the event principals of schools or their designees revoke a certificate, notification of the revocation shall be made to the parent or legal guardian, the employer of the student, and the department of labor within 48 hours. In the event a parent or guardian revokes a certificate, notification of the revocation shall be made to the employer of the student and the department of labor within 48 hours. Upon receiving the notice of revocation, the department of labor shall investigate the compliance of the revocation within 90 days.

II. Certificates shall in all cases include a *notarized* signature line for the parent or legal guardian of the youth and shall show proof of (1) age and (2) adequate health.

III. Certificates shall not be issued unless age and adequacy of health have first been verified except as in paragraph I of this section.

IV. [Certificates shall not be issued except during vacations or as a result of written parental protest, if employment is deemed to interfere seriously with school work.

V-] Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths.

V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section shall be assessed a minimum civil penalty of \$100.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. White offered minority committee amendment (0672h).

Minority Amendment (0672h)

Amend the bill by replacing section 1 with the following:

1 Youth Employment Law; Certificates. Amend RSA 276-A:5 to read as follows: 276-A:5 Certificate.

- I. Certificates shall be issued by principals of schools or their equivalent in private or religious schools, or persons authorized by them, or by a parent or legal guardian in the case of a home schooled student, only after the determination of a satisfactory level of academic performance by the student, except that responsibility for supervision and coordination with the department in matters pertaining to this chapter shall rest upon superintendents of schools. If a student does not continue to meet a satisfactory level of academic performance after the issuance of the certificate, the principals of schools or their equivalent in private or religious schools, or persons authorized by them, or a parent or legal guardian in the case of home schooled student, may revoke the certificate. In the event principals of schools or their equivalent in private or religious schools, or their designees revoke a certificate, notification of the revocation shall be made to the parent or legal guardian, the employer of the student, and the department of labor within 48 hours. In the event a parent or guardian revokes a certificate, notification of the revocation shall be made to the employer of the student and the department of labor within 48 hours. Upon receiving the notice of revocation, the department of labor shall investigate the compliance of the revocation within 90 days.
- II. Certificates shall in all cases include a *notarized* signature line for the parent or legal guardian of the youth and shall show proof of (1) age and (2) adequate health.
- III. Certificates shall not be issued unless age and adequacy of health have first been verified except as in paragraph I of this section.
- IV. [Certificates shall not be issued except during vacations or as a result of written parental protest, if employment is deemed to interfere seriously with school work.

V.] Certificates shall be obtained by an employer within 3 business days of the first day of employment. Copies of certificates shall be kept on file by all employers of youths.

V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section shall be assessed a minimum civil penalty of \$100.

AMENDED ANALYSIS

This bill permits parents or legal guardians to issue youth employment certificates for home schooled children.

Rep. White spoke in favor.

Rep. Infantine spoke against.

On a division vote, with 145 members having voted in the affirmative, and 150 in the negative, the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 188 NAYS 121

YEAS - 188 BELKNAP

		DETIZION	
Aldrich, Glen Fraser, Valerie Russell, David Vadney, Herbert	Dumais, Russell Gallagher, Brian Spanos, Peter	Fields, Dennis Howard, Jr., Raymond Sylvia, Michael	Flanders, Donald Hurt, George Tilton, Franklin

CARROLL

, Frank , Susan

CHESHIRE

Hunt, John McConnell, James R	Roberts, Kris	Sterling, Franklin
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COOS

		0000	
Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

		OKCIAL	
Bailey, Brad Hennessey, Erin Shackett, Jeffrey	Brown, Duane Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Gionet, Edmond Ladd, Rick

HILLSBOROUGH

Adams Christopher Ammon, Keith Balcom, John Barry,	Richard
Belanger, James Biggie, Barbara Boehm, Ralph Burt, J Byron, Frank Danielson, David Eastman, Eric Edelblut, Frank Edwar Estevez, Eric Gagne, Larry Halstead, Carolyn Hopper, Gary LeBrun, Donald Moore, Josh Ober, Lynne Parison, James Proulx, Mark Piggie, Barbara Biggie, Barbara Boehm, Ralph Burt, J Coffey Burt, J Coffey Brown Coffey Edwar Flanagan, Jack Fromu Flanagan, Jack Fromu Hager Hansen, Peter Hinch, Richard Hogar Hopper, Gary LeBrun, Donald Marston, Dick McCarthy, Peggy McLei Morote, Josh Ober, Lynne Pellegrino, Anthony Peterson, Ken Pierce Proulx, Mark Rice, Kimberly Smith Gregory Sullivan, Victoria Boehm, Ralph Burt, J Coffey Burt, J Coffey Coffey Coffey Redwar Fromu Hager Hagen Ha	y, James rds, Elizabeth uth, Bart ner, Robert n, Edith ance, Joseph an, Mark r, Jeanine er, Barry e, David sorn, Laurie sian, Charlene , Terry

MERRIMACK

Brewster, Michael Ebel, Karen
Hoell, J.R. Horn, Werner
Kuch, Bill Long, Douglas
McGuire, Carol McGuire, Dan
Seaworth, Brian Walsh, Thomas

French, Harold Kidder, David Marple, Richard Parent, Jason Wheeler, Deborah

Hill, Gregory Kotowski, Frank Martin, John Rice, Chip

ROCKINGHAM

Abrami, Patrick
Bates, David
Chirichiello, Brian
Doucette, Fred
Ferrante, Beverly
Harris, Jeffrey
Kappler, Lawrence
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Tamburello, Daniel
Vose, Michael
Weyler, Kenneth

Azarian, Gary Bush, Carol Cook, Allen Duarte, Joe Gannon, William Hodgdon, Bruce Kolodziej, Walter Milz, David Packard, Sherman Simpson, Alexis Thomas, Douglas Ward, Joanne Woitkun, Steven

Baldasaro, Alfred Call-Pitts, Jacqueline DeSimone, Debra Elliott, Robert Green, Dennis Hoelzel, Kathleen Major, Norman Nigrello, Robert Peckharn, Michele Spillane, James True, Chris Webb, James Barnes, Arthur Chase, Francis Devine, James Emerick, J. Tracy Griffin, Mary Introne, Robert Matthews, Carolyn O'Connor, John Potucek, John Sweeney, Joe Tucker, Pamela Welch, David

STRAFFORD

Bickford, David Gray, James Leeman, Don Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Mullen, John Cilley, Jacalyn Jones, Laura Pitre, Joseph

Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

Gottling, Suzanne Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 121 CARROLL

SULLIVAN

Buco, Thomas

Butler, Edward

Crawford, Karel

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Shepardson, Marjorie Ames, Richard Eaton, Daniel Pearson, William Tatro, Bruce

Berch, Paul Johnsen, Gladys Robertson, Timothy Tilton, Benjamin Bordenet, John Ley, Douglas Sad, Tara Weber, Lucy

COOS

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Hennessey, Martha Piper, Wendy White, Andrew

Almy, Susan Higgins, Patricia Smith, Suzanne Cooney, Mary Maes, Kevin Sykes, George

Ford, Susan Massimilla, Linda Townsend, Charles

HILLSBOROUGH

Backus, Robert Cote, David Goley, Jeffrey Herbert, Christopher Mangipudi, Latha Roberts, Carol Soucy, Timothy Brown, Pamela DiSilvestro, Linda Gorman, Mary Jack, Martin Manley, Jonathan Rosenwald, Cindy Sullivan, Daniel Cohen, Alan
Donovan, Daniel
Harvey, Suzanne
Jeudy, Jean
McNamara, Richard
Shattuck, Gilman

Walsh, Robert

Cornell, Patricia Freitas, Mary Heath, Mary Long, Patrick Porter, Marjorie Smith, Timothy Williams, Kermit

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Luneau, David Ratzki, Mario Shurtleff, Stephen Bartlett, Christy Doherty, David Henle, Paul MacKay, James Rogers, Katherine Turcotte, Alan

Bradley, Paula Frazer, June Karrick, David Myler, Mel Saunderson, George Waliner, Mary Jane

Carson, Clyde French, Barbara Kenison, Linda Patten, Dick Schuett, Dianne

ROCKINGHAM

Berrien, Skip Cushing, Robert Loveiov, Patricia Ward, Gerald

Borden, David DiFranco, Debbie McBeath, Rebecca Cahill, Michael Francese, Paula Pantelakos, Laura

Cardon, G. Thomas Gordon, Pamela Tilton, Rio

STRAFFORD

Baber, William DiSesa, Len Schmidt, Peter Sprague, Dale

Berube, Roger Horrigan, Timothy Smith, Marjorie Stevens, Audrey

Bixby, Peter Kaen, Naida Southworth, Thomas Wall, Janet

Burton, Wayne Rollo, Deanna Spang, Judith Ward, Kenneth

SULLIVAN

Cloutier, John Oxenham, Lee Converse, Larry Schmidt, Andrew Gagnon, Raymond

Irwin, Virginia

and the majority committee report was adopted and ordered to third reading.

HB 1322, relative to reports to the public employee labor relations board. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. The majority understands that transparency in government is a laudable endeavor. Testimony indicated that some employees throughout state service have had difficulty locating demographics of how many fellow employees participate in the applicable union and how many pay the agency fee. The amendment requires that information is to be posted semi-annually within each bargaining unit in a place accessible to each employee, rather than just quarterly reports as proposed in the original bill. Vote 13-9.

Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. The bill as amended places an unnecessary burden on public employers to compile and report data that they may or may not have access to. The bill is premised on the notion that all public employers deduct from every employee's wages, union dues, or agency fees, which is simply false. Many public employees elect to pay the representative union dues or agency fees directly by check or through a direct debit from their personal bank accounts; transactions the public employer would have no knowledge of. A person could simply ask the organization they are represented by for the information, relieving the public employer of the unnecessary burden of compiling reports, which for the reasons stated above are not going to be accurate in all instances.

Majority Amendment (0666h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Public Employee Labor Relations; Records and Reports. Amend RSA 273-A:16 by inserting after paragraph V the following new paragraph:

VI. Each public employer of each bargaining unit, as determined by the board under RSA 273-A:8, shall calculate and report semiannually, on January 1 and July 1 of each year, to the board, the board of the public employer, and each employee within the public employee's bargaining unit by email and a notice posted in a place accessible to the employee, the total number of public employees within the bargaining unit paying union dues, the total number of public employees within the bargaining unit paying agency fees, and the ratio, expressed as a percentage, of the number of those public employees paying union dues to the total number of public employees in the bargaining unit.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Ley spoke against and yielded to questions.

Rep. Infantine spoke in favor and yielded to questions. Rep. White requested a roll call; sufficiently seconded.

YEAS 173 NAYS 146

YEAS - 173 BELKNAP

Aldrich, Glen Dumais, Russell Fields, Dennis Flanders, Donald Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond Hurt, George Russell, David Spanos, Peter Sylvia, Michael Tilton, Franklin Vadney, Herbert

CARROLL

Avellani, Lino Chandler, Gene Cordelli, Glenn Crawford, Karel McCarthy, Frank Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin

COOS

Fotheraill, John Rappaport, Laurence Richardson, Herbert Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Gionet, Edmond Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Barry, Richard Belanger, James Biggie, Barbara Boehm, Raiph Burt, John Byron, Frank Christensen, Chris Christie, Rick Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Gagne, Larry Gould, Linda Griffin, Barbara Haefner, Robert Halstead, Carolyn Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Infantine, William Kurk, Neal Lachance, Joseph LeBrun, Donald Marston, Dick McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry Parison, James Pellegrino, Anthony Peterson, Ken Rice, Kimberly Rouillard, Claire Sanborn, Laurie Schleien, Eric Simmons, Tammy Smith, Gregory Sullivan, Victoria Twombly, Timothy Ulery, Jordan Wolf, Terry

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Parent, Jason Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Bates, David Bush, Carol Chase, Francis Chirichiello, Brian Christie, Andrew Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Gannon, William Green, Dennis Hoelzel, Kathleen Major, Norman Nigrello, Robert Peckham, Michele Sweeney, Joe Tucker, Pamela Weyler, Kenneth

Harris, Jeffrey Griffin, Mary Kappler, Lawrence Introne, Robert McKinney, Betsy Matthews, Carolyn Osborne, Jason O'Connor, John Prudhomme-O'Brien, Katherine Potucek, John Thomas, Douglas Tamburello, Daniel Vose, Michael Ward, Joanne

Hodadon, Bruce Kołodziej, Walter Milz, David Packard, Sherman Spillane, James True, Chris Welch, David

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Mullen, John

Graham, Robert Jones, Laura Pitre, Joseph

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS - 146 CARROLL

Butler, Edward Buco. Thomas

Ticehurst, Susan

CHESHIRE

Abbott, Michael Eaton, Daniel Parkhurst, Henry Sad, Tara Weber, Lucy

Ames, Richard Johnsen, Gladys Pearson, William Shepardson, Marjorie Berch, Paul Ley, Douglas Roberts, Kris Tatro, Bruce

Bordenet, John Mann, John Robertson, Timothy Tilton, Benjamin

COOS

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel. Richard Hennessey, Martha Piper, Wendy Townsend, Charles Almy, Susan Higgins, Patricia Shackett, Jeffrey White, Andrew

Cooney, Mary Maes, Kevin Smith, Suzanne Ford, Susan Massimilla, Linda Sykes, George

HILLSBOROUGH

Backus, Robert Cornell, Patricia Freitas, Mary Heath, Mary Leishman, Peter McCarthy, Peggy Proulx, Mark Shaw, Barbara Takesian, Charlene

Brown, Pamela Cote, David Golev, Jeffrey Herbert, Christopher Long, Patrick McNamara, Richard Roberts, Carol Smith, Timothy Vann, Ivy

Christiansen, Lars DiSilvestro, Linda Gorman, Mary Jack, Martin Mangipudi, Latha Pierce, David Rosenwald, Cindy Soucy, Timothy Walsh, Robert

Cohen, Alan Edwards, Elizabeth Harvey, Suzanne Jeudy, Jean Manley, Jonathan Porter, Marjorie Shattuck, Gilman Sullivan, Daniel Williams, Kermit

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Kenison, Linda Mvler, Mel Rogers, Katherine Turcotte, Alan

Bartlett, Christy Doherty, David Gile. Mary Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane

Bradley, Paula Ebel, Karen Henle, Paul MacKay, James Ratzki, Mario Schuett, Dianne Wheeler, Deborah

Carson, Clyde Frazer, June Karrick, David Moffett, Howard Rice, Chip Shurtleff, Stephen

Aldrich, Glen

ROCKINGHAM

Azarian, Gary Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Doucette, Fred Francese, Paula Gordon, Pamela Lovejoy, Patricia McBeath, Rebecca Pantelakos, Laura Simpson, Alexis Tilton, Rio Ward, Gerald Webb, James Woitkun, Steven

STRAFFORD

Baber, William Berube, Roger Bixby. Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Oxenham, Lee Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 1346, relative to minimum wage for tipped employees. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. There are two House bills the Labor Committee has heard this session regarding proposed changes to both the hourly minimum wage and minimum wages for tipped employees. The committee has decided to consolidate the two as part of HB 1480. Vote 10-8.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes that an increase in the minimum wage is long overdue in New Hampshire. However, there is potentially a second bill which may begin to address wage issues, and the minority will focus their efforts thereupon.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cilley spoke against and yielded to questions. Rep. Murphy spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 190 NAYS 137

YEAS - 190 BELKNAP

Dumais, Russell Fields, Dennis Flanders, Donald Fraser, Valerie Gallagher, Brian Howard, Jr., Raymond Hurt, George LeBreche, Shari Russell, David Spanos, Peter Sylvia, Michael Tilton, Franklin Vadney, Herbert CARROLL Avellani, Lino Butler, Edward Chandler, Gene Comeau, Ed Cordelli, Glenn Crawford, Karel McCarthy, Frank Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted CHESHIRE Hunt, John McConnell, James Sterling, Franklin Tilton, Benjamin

COOS

Fothergill, John Rappaport, Laurence Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Hennessey, Erin Ladd, Rick Brown, Duane Hull, Robert Piper, Wendy Darrow, Stephen Ingbretson, Paul Shackett, Jeffrey Gionet, Edmond Johnson, Eric

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christensen, Chris Donovan, Daniel Fromuth, Bart Haefner, Robert Hopper, Gary LeBrun, Donald McLean, Mark Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Sullivan, Victoria

Balcom, John
Boehm, Ralph
Christie, Rick
Edelblut, Frank
Gagne, Larry
Halstead, Carolyn
Infantine, William
Marston, Dick
Moore, Josh
Ober, Lynne
Parison, James
Proulx, Mark
Sanborn, Laurie
Takesian, Charlene

Barry, Richard
Burt, John
Coffey, James
Ferreira, Elizabeth
Gould, Linda
Hansen, Peter
Kurk, Neal
Martel, Andre
Murotake, David
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Twombly, Timothy

Belanger, James Byron, Frank Danielson, David Flanagan, Jack Griffin, Barbara Hinch, Richard Lachance, Joseph McCarthy, Peggy Murphy, Keith Ohm, Bill Peterson, Ken Rouillard, Claire Simmons, Tammy Ulery, Jordan

MERRIMACK

Brewster, Michael Horn, Werner Kuch, Bill McGuire, Carol Walsh, Thomas

Wolf, Terry

French, Harold Karrick, David Long, Douglas McGuire, Dan Hill, Gregory Kenison, Linda Marple, Richard Parent, Jason Hoell, J.R. Kotowski, Frank Martin, John Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Bush, Carol Christie, Andrew Devine, James Emerick, J. Tracy Griffin, Mary Introne, Robert Kolodziej, Walter Milz, David Packard, Sherman Schroadter, Adam Tamburello, Daniel Tucker, Pamela Weyler, Kenneth Azarian, Gary
Cardon, G. Thomas
Cook, Allen
Doucette, Fred
Ferrante, Beverly
Harris, Jeffrey
Itse, Daniel
Major, Norman
Nigrello, Robert
Peckham, Michele
Spillane, James
Thomas, Douglas
Vose, Michael
Woitkun, Steven

Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn O'Connor, John Potucek, John Sweeney, Joe Tilton, Rio Ward, Joanne

Bates, David
Chirichiello, Brian
DeSimone, Debra
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt Cheney, Catherine Hannon, Joseph Mullen, John Graham, Robert Jones, Laura Pitre, Joseph

Weich, David

Rollins, Skip

SULLIVAN
Smith, Steven

NAYS - 137 CARROLL

Buco, Thomas

Grenier, James

Ticehurst, Susan

Cilley, Jacalyn

Rollo, Deanna

Spang, Judith

Ward, Kenneth

CHESHIRE Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John Parkhurst, Henry Pearson, William Roberts, Kris Robertson, Timothy Sad. Tara Shepardson, Marjorie Tatro, Bruce Weber, Lucy COOS Froburg, Alethea Moynihan, Wayne Theberge, Robert Thomas, Yvonne GRAFTON Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles White, Andrew HILLSBOROUGH Backus, Robert Baroody, Benjamin Brown, Pamela Christiansen, Lars Cohen, Alan Cornell, Patricia Cote, David DiSilvestro, Linda Freitas, Mary Goley, Jeffrey Gorman, Mary Harvey, Suzanne Heath, Mary Herbert, Christopher Hogan, Edith Jack, Martin Jeudy, Jean Leishman, Peter Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard Porter, Marjorie Roberts, Carol Rosenwald, Cindy Shattuck, Gilman Shaw, Barbara Smith, Gregory Smith, Timothy Snow, Kendall Soucy, Timothy Sullivan, Daniel Sweeney, Shawn Vann. Ivv Walsh, Robert Williams, Kermit MERRIMACK Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June French, Barbara Gile, Mary Henle, Paul Kidder, David Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rice, Chip Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah ROCKINGHAM Rames Arthur C 6

Cali-Pitts, Jacqueline Gordon, Pamela Simpson, Alexis	Cushing, Robert Lovejoy, Patricia Ward, Gerald	Borden, David DiFranco, Debbie McBeath, Rebecca Webb, James	Cahill, Michael Francese, Paula Pantelakos, Laura
	S'	FRAFFORD	
Baber, William	Berube, Roger	Rivhy Peter	Dundan Mt.

Berube, Roger

Bixby, Peter Burton, Wayne DiSesa, Len Horrigan, Timothy Kaen, Naida Schmidt, Peter Smith, Marjorie Southworth, Thomas Sprague, Dale Stevens, Audrey Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Laware, Thomas Oxenham, Lee Schmidt, Andrew and the majority committee report was adopted.

HB 1376, relative to temporary workers. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would mandate that after a period of six months, the employer of a "temporary worker" would be required to offer permanent work status to that worker. There are multiple problems contained

within the intent of this bill. Currently, there are no other states in our country that have this musthire mandate making New Hampshire a "test case." The requirement to hire after six months would interfere with the employer/employee business relationship. Some employers need or want the flexibility that temporary workers sometime provide. Other employers frequently utilize temporary workers to assess those workers for long-term employment opportunities. The bill might also have the adverse effect of employers dismissing temporary workers as the six-month deadline approached. The testimony of the Business and Industry Association noted that there are currently no existing problems between temporary agencies, their employees and the employers they serve. Adding additional mandates and regulations into an already overly burdensome business environment would make New Hampshire's business climate less competitive in comparison to other states. Vote 10-8. Rep. Michael Cahill for the Minority of Labor, Industrial and Rehabilitative Services. We have a duty to balance the needs of employees and employers. Permitting the use of temporary staff on an indefinite basis is contrary to the worker's interests. If there is work to be done, hire someone to do it.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cahill spoke against.

Rep. Leonard Turcotte spoke in favor.

Majority committee report adopted.

HB 1480-FN, establishing a state minimum wage. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This is the second minimum wage bill introduced this session. This particular bill would step up the hourly minimum wage to \$9.50 over the next three years. Testimony given indicated that only about 1% of workers in our state make current minimum wage. All state employees make more than the new minimum wage rates in this bill. A recent statement by Walmart indicated that as of February 1, 2016, their part time employees in NH are making an average of \$10.95 an hour, and their full time employees \$14.29 an hour. Walmart has had to increase their wages due to an "employee's market," proving the economic laws of supply and demand indeed work. "Tipped" employees minimum wages would also increase to \$5.00 an hour and only apply to restaurants, eliminating hotels, motels, inns, cabins and ballrooms from current statutory language. Testimony given by some representing the restaurant businesses confirmed that current base rate plus tips average between \$16 and \$22 an hour, with some even higher depending on the venue. There were no tipped employees who testified in favor of either of the two bills introduced. As with the many bills that have come before this committee regarding minimum wage rate hikes, we find that allowing the free market to work is preferable to instituting another government mandate setting arbitrary and artificial minimum wage rates. Vote 12-10.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. New Hampshire currently has the lowest minimum wage amongst the six New England states. The minority believes it is time to move to increase the New Hampshire minimum wage, even by small increments. The number of workers earning minimum wage may have declined in New Hampshire, but their needs are real, and the current minimum wage is far too low. Those paid the minimum are not primarily teenagers but adults working two jobs or struggling to make ends meet. Therefore, we believe it is time for New Hampshire to move forward and improve the lives and working conditions of the citizens of New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate.

(Rep. Packard in the Chair)

Rep. Murphy spoke in favor.

Rep. White spoke against and requested a roll call; sufficiently seconded.

YEAS 185 NAYS 143

YEAS - 185 BELKNAP

Dumais, Russell Aldrich, Glen Gallagher, Brian Fraser, Valerie Spanos, Peter LeBreche, Shari

Fields, Dennis Howard, Jr., Raymond Sylvia, Michael

Flanders, Donald Hurt, George Vadney, Herbert

CARROLL

Avellani, Lino Chandler, Gene Crawford, Karel McCarthy, Frank Schmidt, Stephen Umberger, Karen

ndler, Gene Comeau, Ed Carthy, Frank Nelson, Bill

Cordelli, Glenn Parker, Harold

CHESHIRE

Hunt, John McConnell, James

Sterling, Franklin

COOS

Rappaport, Laurence Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad Brown, Duane
Hull, Robert Ingbretson, Paul
Piper, Wendy Shackett, Jeffrey

Gionet, Edmond Johnson, Eric

Hennessey, Erin Ladd, Rick

HILLSBOROUGH

Adams, Christopher Belanger, James Byron, Frank Coffey, James Edelblut, Frank Gagne, Larry Halstead, Carolyn Hopper, Gary Marston, Dick Moore, Josh Ober, Lynne Parison, James Proulx, Mark Sanborn, Laurie

Ammon, Keith
Biggie, Barbara
Christensen, Chris
Danielson, David
Ferreira, Elizabeth
Gould, Linda
Hansen, Peter
Kurk, Neal
Martel, Andre
Murotake, David
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Takesian, Charlene

Balcorn, John
Boehm, Ralph
Christiansen, Lars
Donovan, Daniel
Flanagan, Jack
Griffin, Barbara
Hinch, Richard
Lachance, Joseph
McCarthy, Peggy
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rouillard, Claire
Simmons, Tammy
Twombly, Timothy

Barry, Richard Burt, John Christie, Rick Eastman, Eric Fromuth, Bart Haefner, Robert Hogan, Edith LeBrun, Donald McLean, Mark Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Smith, Gregory Ulery, Jordan

MERRIMACK

French, Harold Kuch, Bill McGuire, Carol Walsh, Thomas

Sullivan, Victoria

Wolf, Terry

Hill, Gregory Long, Douglas McGuire, Dan

Hoell, J.R. Marple, Richard Parent, Jason

Kotowski, Frank Martin, John Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Bates, David
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Griffin, Mary
Introne, Robert
Kolodziej, Walter
Milz, David
Peckham, Michele
Schroadter, Adam
Tamburello, Daniel
Tucker, Pamela
Welch, David

Azarian, Gary Bush, Carol Christie, Andrew Devine, James Ferrante, Beverty Harris, Jeffrey Itse, Daniel Major, Norman Nigrello, Robert Potucek, John Spillane, James Thomas, Douglas Vose, Michael Weyler, Kenneth

Baldasaro, Alfred
Cardon, G. Thomas
Cook, Allen
Duarte, Joe
Gannon, William
Hodgdon, Bruce
Kappler, Lawrence
Matthews, Carolyn
O'Connor, John
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tilton, Rio
Ward, Joanne

Woitkun, Steven

Barnes, Arthur Chase, Francis Dean-Bailey, Yvonne Elliott, Robert Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy Osborne, Jason Rice, Frederick Sytek, John True, Chris Webb, James

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt Cheney, Catherine Hannon, Joseph Mullen, John Graham, Robert Jones, Laura Pitre, Joseph

Grenier, James

Rollins, Skip

SULLIVAN
Smith, Steven

NAYS - 143 BELKNAP

Tilton, Franklin

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy Tilton, Benjamin Ames, Richard Eaton, Daniel Parkhurst, Henry Sad, Tara Weber, Lucy Berch, Paul Johnsen, Gladys Pearson, William Shepardson, Marjorie Bordenet, John Ley, Douglas Roberts, Kris Tatro, Bruce

Fothergill, John Thomas, Yvonne

Froburg, Alethea

Moynihan, Wayne

Theberge, Robert

GRAFTON

COOS

Abel, Richard Ford, Susan Massimilla, Linda White, Andrew Almy, Susan Hennessey, Martha Smith, Suzanne Cooney, Mary Higgins, Patricia Sykes, George Darrow, Stephen Maes, Kevin Townsend, Charles

HILLSBOROUGH

Backus, Robert
Cornell, Patricia
Goley, Jeffrey
Herbert, Christopher
Leishman, Peter
McNamara, Richard
Shattuck, Gilman
Soucy, Timothy
Walsh, Robert

Baroody, Benjamin Cote, David Gorman, Mary Infantine, William Long, Patrick Porter, Marjorie Shaw, Barbara Sullivan, Daniel Williams, Kermit Brown, Pamela DiSilvestro, Linda Harvey, Suzanne Jack, Martin Mangipudi, Latha Roberts, Carol Smith, Timothy Sweeney, Shawn

Cohen, Alan Freitas, Mary Heath, Mary Jeudy, Jean Manley, Jonathan Rosenwald, Cindy Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Hom, Werner Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Deloge, Helen French, Barbara Karrick, David MacKay, James Ratzki, Mario Schuett, Dianne Wheeler, Deborah Bradley, Paula Doherty, David Gile, Mary Kenison, Linda Moffett, Howard Rice, Chip Shurtleff, Stephen Brewster, Michael Ebel, Karen Henle, Paul Kidder, David Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Berrien, Skip Cushing, Robert Heffron, Frank Simpson, Alexis Borden, David DiFranco, Debbie Lovejoy, Patricia Ward, Gerald Cahill, Michael Francese, Paula McBeath, Rebecca Cali-Pitts, Jacqueline Gordon, Pamela Pantelakos, Laura

Shackett, Jeffrey

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Irwin, Virginia Laware, Thomas Oxenham, Lee Schmidt, Andrew and the majority committee report was adopted.

HB 1112, relative to subdivision of land. OUGHT TO PASS.

Rep. James Coffey for Municipal and County Government. This proposal amends RSA 674:36, II, which contains a list of items that should be addressed by a municipality's planning board when compiling their subdivision regulations, by adding a statement that as a condition of subdivision approval the applicant clean up any existing environmental contamination. As with all the other items listed in this statute, the details of how this is accomplished needs to be completed by the local planning board. This proposed change to RSA 674:36 is to ensure that any known environmental contamination on a site is addressed if the parcel is being subdivided. It does not preclude the subdivision of any property that meets all other local requirements and within the context of the existing statute there are provisions for waivers when appropriate. This simply adds to an optional list of conditions a planning board may impose and is not a mandate. Vote 12-5.

MOTION TO LAY ON THE TABLE

Rep. Azarian moved that **HB 1112**, relative to subdivision of land, be laid on the table. Rep. Coffey requested a roll call; sufficiently seconded.

YEAS 240 NAYS 87

YEAS - 240 RELKNAP

	D	LLANAP	
Dumais, Russell Gallagher, Brian Russell, David	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Tilton, Franklin	Fraser, Valerie LeBreche, Shari Vadney, Herbert
	CA	ARROLL	
Avellani, Lino Crawford, Karel Ticehurst, Susan	Butler, Edward Nelson, Bill Umberger, Karen	Chandler, Gene Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	CH	IESHIRE	
Ames, Richard Hunt, John Roberts, Kris	Berch, Paul McConnell, James Tatro, Bruce	Bordenet, John Parkhurst, Henry Weber, Lucy	Chase, Cynthia Pearson, William
		COOS	
Fothergill, John Rideout, Leon	Moynihan, Wayne Theberge, Robert	Rappaport, Laurence Tholl, John	Richardson, Herbert Thomas, Yvonne
	GR	RAFTON	
Bailey, Brad Gionet, Edmond Johnson, Eric Shackett Jeffrey	Brown, Duane Higgins, Patricia Ladd, Rick	Darrow, Stephen Hull, Robert Massimilla, Linda	Ford, Susan Ingbretson, Paul Piper, Wendy

Townsend, Charles

Smith, Suzanne

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Burt, John Christie, Rick DiSilvestro, Linda Freitas, Mary Gould, Linda Heath, Mary Kurk, Neal Manley, Jonathan Murotake, David Ober, Russell Pellegrino, Anthony Rice, Kimberly Shaw, Barbara Snow, Kendall Takesian, Charlene Ammon, Keith Barry, Richard Byron, Frank Cohen, Alan Donovan, Daniel Gagne, Larry Haefner, Robert Hinch, Richard Lachance, Joseph Martel, Andre Murphy, Keith Ohm, Bill Peterson, Ken Rouillard, Claire Simmons, Tammy Soucy, Timothy Twombly, Timothy

Backus. Robert Biggie, Barbara Christensen, Chris Cote, David Ferreira, Elizabeth Goley, Jeffrey Hansen, Peter Hogan, Edith LeBrun, Donald McCarthy, Peggy Notter, Jeanine Palmer, Barry Pierce, David Rowe, Robert Smith, Gregory Sullivan, Daniel Ulery, Jordan

Balcom, John Boehm, Ralph Christiansen, Lars Danielson, David Flanagan, Jack Gorman, Marv Harvey, Suzanne Infantine, William Long, Patrick Moore, Josh Ober, Lynne Parison, James Proulx, Mark Sanborn, Laurie Smith, Timothy Sweeney, Shawn Vann, Ivy

MERRIMACK

Alicea, Caroletta Doherty, David Henle, Paul Kenison, Linda Long, Douglas McGuire, Carol Ratzki, Mario Schuett, Dianne Wheeler, Deborah Bradley, Paula Ebel, Karen Hoell, J.R. Kidder, David MacKay, James McGuire, Dan Rice, Chip Shurtleff, Stephen

Azarian, Garv

Brewster, Michael French, Harold Horn, Werner Kotowski, Frank Marple, Richard Parent, Jason Rogers, Katherine Turcotte, Alan Deloge, Helen Gile, Mary Karrick, David Kuch, Bill Martin, John Patten, Dick Saunderson, George Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Bates, David
Cardon, G. Thomas
Cook, Allen
Devine, James
Emerick, J. Tracy
Griffin, Mary
Itse, Daniel
Matthews, Carolyn
Nigrello, Robert
Potucek, John
Simpson, Alexis
Tamburello, Daniel
Tucker, Pamela
Welch, David

Borden, David
Chase, Francis
Cushing, Robert
DiFranco, Debbie
Ferrante, Beverly
Hodgdon, Bruce
Kappler, Lawrence
McBeath, Rebecca
O'Connor, John
Prudhomme-O'Brien, Katherine
Spillane, James
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth

Baldasaro, Alfred Bush, Carol Chirichiello, Brian Dean-Bailey, Yvonne Doucette, Fred Gannon, William Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy Pantelakos, Laura Rice, Frederick Sweeney, Joe Tilton, Rio Ward, Joanne Woitkun, Steven Barnes, Arthur
Cali-Pitts, Jacqueline
Christie, Andrew
DeSimone, Debra
Elliott, Robert
Gordon, Pamela
Introne, Robert
Major, Norman
Milz, David
Peckham, Michele
Schroadter, Adam
Sytek, John
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven Cilley, Jacalyn Jones, Laura Pitre, Joseph Stevens, Audrey Bickford, David Gray, James Kaczynski, Jr., Thomas Rollo, Deanna Turcotte. Leonard Burton, Wayne Groen, Warren Leeman, Don Southworth, Thomas Ward, Kenneth Cheney, Catherine Hannon, Joseph Mullen, John Sprague, Dale

SULLIVAN

Cloutier, John Smith, Steven Gottling, Suzanne

Grenier, James

Laware, Thomas

NAYS - 87 BELKNAP

Aldrich, Glen

Sylvia, Michael

CARROLL

CHESHIRE

Buco, Thomas

Comeau, Ed

McCarthy, Frank

Wright, Ted

Abbott, Michael Robertson, Timothy

Eaton, Daniel Sad, Tara

Lev. Douglas Sterling, Franklin

Mann, John Tilton, Benjamin

COOS

Froburg, Alethea

GRAFTON

Abel. Richard Hennessey, Martha

Almy, Susan Maes, Kevin

Cooney, Mary White, Andrew

Coffey, James

Hennessey, Erin

HILLSBOROUGH

Belanger, James Eastman, Eric Griffin, Barbara Jeudy, Jean McLean, Mark Rosenwald, Cindy Waish, Robert

Brown, Pamela Edelblut, Frank Halstead, Carolyn Leishman, Peter McNamara, Richard Schleien, Eric

Williams, Kermit

Estevez, Eric Herbert, Christopher Mangipudi, Latha Porter, Marjorie Shattuck, Gilman

Cornell, Patricia Fromuth, Bart Jack, Martin Marston, Dick Roberts, Carol

Sullivan, Victoria

Wolf, Terry

MERRIMACK

Bartlett, Christy Hill, Gregory Seaworth, Brian

Carson, Clyde Luneau, David Waliner, Mary Jane Frazer, June Moffett, Howard

French, Barbara Myler, Mel

ROCKINGHAM

Berrien, Skip Green, Dennis Osborne, Jason Cahill, Michael Harris, Jeffrey Vose, Michael

Duarte, Joe Heffron, Frank

Francese, Paula Lovejoy, Patricia

STRAFFORD

Baber, William Graham, Robert Smith, Marjorie

Berube, Roger Horrigan, Timothy Spang, Judith

Bixby, Peter Kaen, Naida Wall, Janet

DiSesa, Len Schmidt, Peter Wuelper, Kurt

SULLIVAN

Converse, Larry Rollins, Skip

Gagnon, Raymond Schmidt, Andrew

Irwin, Virginia

Oxenham, Lee

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1129, relative to approval of fees established by the register of deeds. INEXPEDIENT TO

Rep. Benjamin Tilton for Municipal and County Government. This legislation would require the county commissioners and the county convention to approve all fees collected by the Office of the Register of Deeds. The county commissioners and county convention have the responsibility of review and approval of the Register of Deeds budget annually. Therefore, the majority felt this was unnecessary legislation. Vote 11-4. Committee report adopted.

HB 1180-L, relative to the authority of towns to issue bonds for the expansion of Internet service. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Catherine Cheney for the Majority of Municipal and County Government. The intent of the bill is to solve the problem for the 7% of the NH population that do not have high speed Internet. Communities would be able to expand their own coverage by providing the necessary infrastructure and maintenance independently of cable companies through bonding. Cases from other states include Vermont, where the bond ratings were downgraded on the City of Burlington, Burlington International Airport, and Burlington Electric Department as well as assignment of a negative outlook from Moody's. "Bad judgment" was one of the charges filed by state and federal investigators. Burlington's taxpayers ended up owing the bank \$33.5 million. The debt was settled for less but they still owe \$17 million. Other places where this was tried include Groton, Connecticut where monies spent were \$10 million more than estimated. Costs between 2000 and 2008 went from \$7 million to \$35 million. Now that Groton has sold off the failing asset, the community is paying the remaining \$27 million debt and the transfer of \$11 million in losses. Moody's downgraded the rating of Groton. Their market study relied on a survey of citizens that would like cable, though cautioned of the risk and a changing marketplace. Service changes in the early and mid-2000s proved too fast for the government to compete with advanced communications, and the city officials failed to account for this in the business model. Marketplace and organic market forces overcame all attempts to provide a "fix" to the shortcomings. Kentucky also has its own government broadband and assumptions made for award of school contracts placed them head to head with AT&T where the state had an unfair advantage. A shortfall in projected income, resignations and placing taxpayers at risk were the results. (Otts, Chris, Newscast, WDRB News, 2016). Technology in this area is still rapidly changing. What is considered broadband access today will be very much different tomorrow. When looking at using taxpayer dollars to build out and provide broadband Internet, television, and other infrastructure, many events such as storms and outages will have to be addressed. This bill could hurt private investment in a no-win regulatory scheme and would slow private sector job growth. Two years ago, not all public schools had broadband, now they do. Connect America Fund Phase II (CAFII) will be spending \$30 million dollars over the next few years to extend coverage into 13,000 areas identified in New Hampshire to provide coverage where it is weak or non-existing. Companies are investing in provision of services to all areas of New Hampshire. AT&T invested \$100 million last year in New Hampshire. Even if the state permitted a community to take on the outfitting and bonding of this service, there would (more than likely) still be some in areas, where bonding was done for the purpose of providing service for those that are not served. The majority of the committee felt this is not a good risk for any community to place on the state, municipalities or taxpayers. Vote 9-7.

Rep. Marjorie Porter for the Minority of Municipal and County Government. This is enabling legislation. There are still pockets in many communities that do not have access to broadband services. In some places dial up connections are still all that are available. Current statute allows municipalities that have no service at all to issue bonds to pay for broadband infrastructure in their communities. HB 1180 will allow towns that are only partially served to issue these bonds as well, so broadband service may be made available to all.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Gregory Smith spoke in favor and yielded to questions.

Rep. Porter spoke against and yielded to questions.

Rep. Cheney spoke in favor.

Rep. Gladys Johnsen requested a roll call; sufficiently seconded.

YEAS 188 NAYS 142

YEAS - 188 BELKNAP

Aldrich, Glen Fraser, Valerie LeBreche, Shari Vadney, Herbert Dumais, Russell Gallagher, Brian Russell, David Fields, Dennis Howard, Jr., Raymond Spanos, Peter Flanders, Donald Hurt, George Sylvia, Michael

CARROLL

Avellani, Lino C
Crawford, Karel M
Schmidt, Stephen U

Chandler, Gene McCarthy, Frank Umberger, Karen Comeau, Ed Nelson, Bill

Cordelli, Glenn Parker, Harold

CHESHIRE

Eaton, Daniel

Hunt, John

McConnell, James

Tatro, Bruce

Rappaport, Laurence

Richardson, Herbert

COOS Rideout, Leon

Tholl, John

GRAFTON

Almy, Susan Gionet, Edmond Shackett, Jeffrey Bailey, Brad Hull, Robert Brown, Duane Ingbretson, Paul

Darrow, Stephen Johnson, Eric

HILLSBOROUGH

Ammon, Keith Biggie, Barbara Christiansen, Lars Estevez, Eric Fromuth, Bart Gould, Linda Heath, Mary Jeudy, Jean Marston, Dick Moore, Josh Ohm, Bill Pierce, David Simmons, Tammy Takesian, Charlene

Balcom, John Boehm, Ralph Christie, Rick Ferreira, Elizabeth Gagne, Larry Griffin, Barbara Hinch, Richard Kurk, Neal Martel, Andre Murotake, David Palmer, Barry Rice, Kimberly Smith, Gregory Twombly, Timothy

Barry, Richard Burt, John Eastman, Eric Flanagan, Jack Gidge, Kenneth Halstead, Carolyn Hogan, Edith Lachance, Joseph McCarthy, Peggy Murphy, Keith Parison, James Rouillard, Claire Sullivan, Victoria Ulery, Jordan Belanger, James Byron, Frank Edelblut, Frank Freitas, Mary Goley, Jeffrey Hansen, Peter Jack, Martin LeBrun, Donald McLean, Mark Notter, Jeanine Pellegrino, Anthony Sanborn, Laurie Sweeney, Shawn Walsh, Robert

MERRIMACK

Brewster, Michael Kotowski, Frank Martin, John Seaworth, Brian French, Harold Kuch, Bill McGuire, Carol Walsh, Thomas

Azarian, Garv

Bush, Carol

Hoell, J.R. Long, Douglas McGuire, Dan Horn, Werner Marple, Richard Parent, Jason

Barnes, Arthur

Doucette, Fred

Cook, Allen

Cardon, G. Thomas

ROCKINGHAM

Abrami, Patrick Bates, David Chase, Francis Dean-Bailey, Yvonne Elliott, Robert Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn O'Connor, John Rice, Frederick Sytek, John True, Chris

Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Griffin, Mary Introne, Robert Kolodziej, Walter McKinney, Betsy Osborne, Jason Schroadter, Adam Tamburello, Daniel Tucker, Pamela Welch, David Baldasaro, Alfred
Cali-Pitts, Jacqueline
Christie, Andrew
Devine, James
Ferrante, Beverly
Harris, Jeffrey
Itse, Daniel
Lovejoy, Patricia
Milz, David
Potucek, John
Spillane, James
Thomas, Douglas

Gannon, William
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Nigrello, Robert
Prudhomme-O'Brien, Katherine
Sweeney, Joe
Tilton, Rio

STRAFFORD

Beaudoin, Steven DiSesa, Len

Webb, James

Berube, Roger Graham, Robert Bickford, David Gray, James

Vose, Michael

Weyler, Kenneth

Cheney, Catherine Groen, Warren

Ward, Joanne

Woitkun, Steven

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Hannon, Joseph Leeman, Don	Jones, Laura Mullen, John	Kaczynski, Jr., Thomas Pitre, Joseph	Kaen, Naida Turcotte, Leonard
Wuelper, Kurt	CII	LLIVAN	
		Rollins, Skip	Schmidt, Andrew
Gagnon, Raymond Smith, Steven	Laware, Thomas	Hollins, Skip	
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Tilton, Franklin	C	ARROLL	
		Ticehurst, Susan	Wright, Ted
Butler, Edward	McConkey, Mark	,	
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Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas	Mann, John Sad, Tara
Parkhurst, Henry	Pearson, William	Roberts, Kris	Weber, Lucy
Shepardson, Marjorie	Sterling, Franklin	Tilton, Benjamin	110001, 2007
		COOS	
Fothergill, John Thomas, Yvonne	Froburg, Alethea	Moynihan, Wayne	Theberge, Robert
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	Cooney, Mary	Ford, Susan	Hennessey, Erin
Abel, Richard Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HII.	LSBOROUGH	
		Baroody, Benjamin	Brown, Pamela
Adams, Christopher	Backus, Robert Cohen, Alan	Cornell, Patricia	Cote, David
Coffey, James	DiSilvestro, Linda	Donovan, Daniel	Gorman, Mary
Danielson, David	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Guerette, C. Lee Herbert, Christopher	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Ober, Lynne	Ober, Russell
Peterson, Ken	Porter, Marjorie	Proulx, Mark	Roberts, Carol Smith, Timothy
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara Sullivan, Daniel	Vann, Ivy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	vaini, iv
Williams, Kermit	Wolf, Terry		
	M	ERRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hill, Gregory Luneau, David
Karrick, David	Kenison, Linda	Kidder, David	Patten, Dick
MacKay, James	Moffett, Howard	Myler, Mel Rogers, Katherine	Saunderson, George
Ratzki, Mario	Rice, Chip	Turcotte, Alan	Wallner, Mary Jane
Schuett, Dianne Wheeler, Deborah	Shurtleff, Stephen	I MINOTED, LIMIT	•
Wheeler, Deboran	35.	OCKINCHAM	
		OCKINGHAM Resident Desident	Cahill, Michael
Abramson, Max	Berrien, Skip	Borden, David	Francese, Paula
Cushing, Robert	DiFranco, Debbie	Duarte, Joe	Pantolakos I aura

Ward, Gerald

McBeath, Rebecca

Pantelakos, Laura

Heffron, Frank

Simpson, Alexis

Cushing, Robert

Gordon, Pamela

Peckham, Michele

STRAFFORD

Baber, William Bixby, Peter Horrigan, Timothy Rollo, Deanna Southworth, Thomas Spang, Judith Wall, Janet Ward, Kenneth

Burton, Wayne Schmidt, Peter Sprague, Dale

Cilley, Jacalyn Smith, Marjorie Stevens, Audrey

SULLIVAN

Cloutier, John Irwin, Virginia

Converse, Larry Oxenham, Lee

Gottling, Suzanne

Grenier, James

and the majority committee report was adopted.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. OUGHT TO PASS WITH AMENDMENT.

Rep. James Coffey for Municipal and County Government. This bill in its original form seeks to eliminate a penalty that is imposed when the former owner of a tax-deeded property seeks to repurchase their property during a three-year window from the date of the tax deeding. The present penalty being addressed is 15% of the equalized property, which is added to all interest, fees, taxes, administrative, maintenance and legal costs. It also changed the time frame from 15 to 30 days for a former owner or lienholder to respond with intent to repurchase the property, if the municipality intended to sell the property within the three-year window. After committee discussion, the bill was amended to reduce the penalty to 10% and eliminate it totally if the property was a primary residence and was being repurchased by the former owner. The proposed 30-day window for repurchase remains in the amendment. Vote 10-5.

Amendment (0522h)

Amend the bill by replacing all after the enacting clause with the following:

1 Real Estate Tax Liens; Repurchase by Former Owner. Amend RSA 80:89, II to read as follows:

II. Within 30 days after the notice required by paragraph I, or if no such notice is received, at any time within 3 years after the date of recording the tax deed, any former owner of the property may give notice by certified mail, return receipt requested, of intent to repurchase the property from the municipality, and stating that such owner is ready, willing, and able to pay all back taxes, interest, costs and penalty, as defined in RSA 80:90, except that if the property is the former owner's principal residence, or was the former owner's principal residence at the time of execution of the tax deed under RSA 80:76, the additional penalty under RSA 80:90, I(f) shall not apply. If all such back taxes, interest, costs and penalty have not been actually tendered within [15] 30 days of such notice of intent to repurchase, the municipality may proceed with its offering and dispose of the property without any interest by the former owner.

2 Real Estate Tax Liens; Definitions; Penalty. Amend RSA 80:90, I(f) to read as follows:

(f) An additional penalty equal in amount to [15] 10 percent of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of the assessment.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill extends the time for a former owner to pay the costs of repurchasing a tax deeded property from the town. The bill also reduces the penalty charge added to such costs and exempts the penalty charge for certain owners.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1382, relative to the referendum procedure for public water systems. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Catherine Cheney for the Majority of Municipal and County Government. The intent of the bill is to change the requirement for the number of signatures needed to place the question on the ballot of whether communities served by a water system would want to add fluoride to the drinking water or not. The current law sets the number of signatures required to 10% of the number of registered voters in each community served by the water system. For Manchester, where they serve Bedford, Hooksett and Auburn, that would be well over 7,000 signatures. The change would be to have the number of signatures required to be at 20% of the voters voting in the last municipal election. For

Manchester the new requirement for the petition signatures would mean well over 5,000 signatures would need to be collected. In other communities such as Dover, the count goes from over 2,000 to over 800 signatures, in Raymond from over 600 to over 150 signatures, in Rochester from over 2,000 to over 800, in New Boston from over 380 to over 200, in Portsmouth from over 1400 to over 800. This just changes the number of petition signatures required to place the question on the ballot for all communities served by the water system to choose whether to add fluoride to the drinking water or not. Vote 12-4.

Rep. Jane Beaulieu for the Minority of Municipal and County Government. This bill will decrease the number of signatures to pass a petition for a ballot question regarding public water systems and fluoridation. The minority believes the number of signatures should not be reduced and that there is no imperative to change the rules surrounding community water fluoridation. The imperative should be on us as a state to increase public awareness of the benefits of water fluoridation.

Majority committee report adopted and ordered to third reading.

HB 1401, relative to public libraries. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: **OUGHT TO PASS.**

Rep. Patricia Cornell for the Majority of Municipal and County Government. This bill would require all libraries to appoint a library director with a term of one year in place of a librarian and added wording to the reasons for the removal of library employees. The majority of the committee felt that this was an unnecessary bill that addresses policy issues that are not a problem for most of the over 230 New Hampshire public libraries. There are vast differences between libraries, small and large, town and city, and all have the ability to pass policies that fit their individual needs. Vote 12-4. Rep. David Bickford for the Minority of Municipal and County Government. This bill's primary purpose was to add, "or documented violations of the library's personal polices" to the list of reasons for cause to dismiss an employee. There was evidence that the cost of dismissal without this has cost towns tens of thousands of dollars. The New Hampshire Library Trustees Association favored this bill. Majority committee report adopted.

HB 1455, relative to membership of a municipal budget committee. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. David Bickford for the Majority of Municipal and County Government. This bill removes the requirement that a municipal budget committee have a resident of a village district as a member. Since residents of a village district are also residents of the municipality, a seat on the budget committee is already available to any resident running for election. Having a requirement that a small area of a community have a seat on a budget committee representing the entire community appears to fly in the face of equal representation. The committee felt this bill had merit. The amendment corrected a missed reference to village district in the bill as introduced and made no change to the intent of the bill. Vote 11-3.

Rep. Clyde Carson for the Minority of Municipal and County Government. This bill as amended solves one problem, but creates another. There are municipalities with village districts, where village district membership on the municipal budget committee is desired by the village district and the process works well. If this bill passes, this process will no longer be allowed. The option for someone from the village district to run for the municipal budget committee is no guarantee that the person would be elected, nor is it a guarantee that a person from the village district, if elected, would represent the desire of the district commissioners.

Majority Amendment (0644h)

Amend the title of the bill by replacing it with the following:

relative to the application of the municipal budget law to village districts wholly within AN ACT

Amend the bill by replacing all after section 1 with the following:

2 Municipal Budget Law; Application. Amend RSA 32:2 to read as follows:

32:2 Application. RSA 32:1-13, shall apply to all towns, school districts, cooperative school districts, village districts, municipal economic development and revitalization districts created under RSA 162-K, and any other municipal entities, including those created pursuant to RSA 53-A or 53-B, which adopt their budgets at an annual meeting of their voters, except RSA 32:5-b, which shall apply only in those towns or districts adopting that section pursuant to RSA 32:5-c. RSA 32:14-23, concerning budget committees, shall apply only in those towns or districts adopting that subdivision pursuant to RSA 32:14, I, and shall apply automatically in school districts [or village districts] located wholly within towns adopting that subdivision.

3 Municipal Budget Law; Duties and Authority of the Budget Committee. Amend RSA 32:16, I

to read as follows:

I. To prepare the budget as provided in RSA 32:5, and if authorized under RSA 40:14-b, a default budget under RSA 40:13, IX(b) for submission to each annual or special meeting of the voters of the municipality, and, if the municipality is a town, the budgets of any school district [or village district] wholly within the town, unless the warrant for such meeting does not propose any appropriation.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill deletes village districts that are wholly within a town from provisions of the municipal budget law.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1500, relative to default budgets for the purpose of setting tax rates. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. James Coffey for the Majority of Municipal and County Government. This bill directs the Department of Revenue Administration (DRA) to review all default budgets in official ballot towns, school districts and village districts for compliance with RSA 40:13, X. A compliant default budget approved by the DRA would then be necessary for the setting of the tax rate. A bipartisan majority of the committee believes that this procedure would place a significant responsibility on the DRA that they have indicated they are not prepared to undertake and remove local control from the process. Vote 12-4. Rep. Keith Ammon for the Minority of Municipal and County Government. The Department of Revenue Administration (DRA) provides oversight on budgets adopted at regular town meetings as well as proposed budgets of SB2 towns and school boards, but seems to provide zero oversight on SB2 default budgets, which could very well become the actual budget if voters reject the proposed budget. Default budgets are supposed to be calculated according to a formula in state statute. This simple bill would 1) add a reporting requirement for SB2 towns and school districts to send their default budget calculations to the DRA (as they are already required to do) with their proposed budget, and 2) require the DRA to ensure all "appropriations, reductions, increases to a default budget comply" with current statute, the same way they already ensure "all calculations are correct" with proposed budgets. The main argument against this bill is that we shouldn't add a task to a town or school administrator's workload, or to the DRA's workload, which appears to be an argument against transparent and accountable government.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Carol McGuire requested a roll call; sufficiently seconded.

YEAS 207 NAYS 126 **YEAS - 207**

BELKNAP Dumais, Russell Fields, Dennis Flanders, Donald Gallagher, Brian Vadney, Herbert CARROLL Butler, Edward Chandler, Gene Cordelli, Glenn Crawford, Karel McConkey, Mark Nelson, Bill Schmidt, Stephen Ticehurst, Susan Umberger, Karen CHESHIRE Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Hunt, John Johnsen, Gladys Lev. Douglas Mann, John Parkhurst, Henry Pearson, William Robertson, Timothy Sad, Tara Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS

Fothergill, John Tholl, John Froburg, Alethea Thomas, Yvonne Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard Ford, Susan Ladd, Rick Shackett, Jeffrey White, Andrew Almy, Susan Gionet, Edmond Maes, Kevin Smith, Suzanne Brown, Duane Hennessey, Martha Massimilla, Linda Sykes, George

Cooney, Mary Higgins, Patricia Piper, Wendy Townsend, Charles

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Cote, David
Gagne, Larry
Haefner, Robert
Heath, Mary
Jeudy, Jean
Long, Patrick
McNamara, Richard
Pierce, David
Rosenwald, Cindy
Shaw, Barbara
Soucy, Timothy
Williams, Kermit

Balcom, John
Coffey, James
Edwards, Elizabeth
Gidge, Kenneth
Halstead, Carolyn
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
Ober, Lynne
Porter, Marjorie
Rouillard, Claire
Smith, Gregory
Sullivan, Daniel
Wolf, Terry

Belanger, James Cohen, Alan Flanagan, Jack Goley, Jeffrey Hansberry, Daniel Hinch, Richard LeBrun, Donald Manley, Jonathan Palmer, Barry Proulx, Mark Rowe, Robert Smith, Timothy Vann, Ivy Biggie, Barbara Cornell, Patricia Freitas, Mary Guerette, C. Lee Harvey, Suzanne Jack, Martin Leishman, Peter Martel, Andre Peterson, Ken Roberts, Carol Shattuck, Gilman Snow, Kendall Walsh, Robert

MERRIMACK

Alicea, Caroletta Deloge, Helen Gile, Mary Luneau, David Patten, Dick Saunderson, George Wallner, Mary Jane Bartlett, Christy Doherty, David Henle, Paul MacKay, James Ratzki, Mario Schuett, Dianne Walsh, Thomas Bradley, Paula Ebel, Karen Kenison, Linda Moffett, Howard Rice, Chip Shurtleff, Stephen Wheeler, Deborah

Carson, Clyde Frazer, June Kotowski, Frank Myler, Mel Rogers, Katherine Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Cahill, Michael Christie, Andrew DiFranco, Debbie Ferrante, Beverly Heffron, Frank Katsakiores, Phyllis Matthews, Carolyn Pantelakos, Laura Thomas, Douglas Ward, Joanne Azarian, Gary
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Francese, Paula
Hoelzel, Kathleen
Kolodziej, Walter
McBeath, Rebecca
Peckham, Michele
Tilton, Rio
Webb, James

Bush, Carol Berrien, Skip Chase, Francis Cardon, G. Thomas Devine, James DeSimone, Debra Elliott, Robert Duarte, Joe Griffin, Mary Gordon, Pamela Kappler, Lawrence Introne, Robert Major, Norman Lovejoy, Patricia O'Connor, John Nigrello, Robert Simpson, Alexis Prudhomme-O'Brien, Katherine Ward, Gerald True, Chris Woitkun, Steven Welch, David

STRAFFORD

Baber, William DiSesa, Len Pitre, Joseph Southworth, Thomas Wall, Janet Berube, Roger Gray, James Rollo, Deanna Spang, Judith Ward, Kenneth Bixby, Peter Horrigan, Timothy Schmidt, Peter Sprague, Dale Burton, Wayne Kaen, Naida Smith, Marjorie Stevens, Audrey

		SULLIVAN	
Converse, Larry Irwin, Virginia	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Schmidt, Andrew	Grenier, James Smith, Steven
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		BELKNAP	
Aldrich, Glen LeBreche, Shari Tilton, Franklin	Fraser, Valerie Russell, David	Howard, Jr., Raymond Spanos, Peter	Hurt, George Sylvia, Michael
		CARROLL	
Avellani, Lino Wright, Ted	Comeau, Ed	McCarthy, Frank	Parker, Harold
		CHESHIRE	
McConnell, James	Roberts, Kris		
		COOS	
Rappaport, Laurence	Rideout, Leon	Theberge, Robert	
		GRAFTON	
Bailey, Brad Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Hennessey, Erin	Hull, Robert
	HIL	LSBOROUGH	
Adams, Christopher Boehm, Ralph Christie, Rick Eastman, Eric Fromuth, Bart Hansen, Peter McCarthy, Peggy Murphy, Keith Parison, James Schleien, Eric Takesian, Charlene Brewster, Michael Hoell, J.R. Kuch, Bill	Ammon, Keith Burt, John Danielson, David Edelblut, Frank Gorman, Mary Hogan, Edith McLean, Mark Notter, Jeanine Pellegrino, Anthony Simmons, Tammy Twombly, Timothy MIE French, Barbara Horn, Werner Long, Douglas	Baroody, Benjamin Byron, Frank DiSilvestro, Linda Estevez, Eric Gould, Linda Lachance, Joseph Moore, Josh Ober, Russell Rice, Kimberly Sullivan, Victoria Ulery, Jordan CRRIMACK French, Harold Karrick, David Marple, Richard	Barry, Richard Christiansen, Lars Donovan, Daniel Ferreira, Elizabeth Griffin, Barbara Marston, Dick Murotake, David Ohm, Bill Sanborn, Laurie Sweeney, Shawn Hill, Gregory Kidder, David Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Al		CKINGHAM	
Abramson, Max Borden, David Emerick, J. Tracy Hodgdon, Bruce Osborne, Jason Spillane, James Tucker, Pamela	Baldasaro, Alfred Chirichiello, Brian Gannon, William Itse, Daniel Potucek, John Sweeney, Joe Vose, Michael	Barnes, Arthur Cook, Allen Green, Dennis McKinney, Betsy Rice, Frederick Sytek, John Weyler, Kenneth	Bates, David Dean-Bailey, Yvonne Harris, Jeffrey Milz, David Schroadter, Adam Tamburello, Daniel
	STI	RAFFORD	

STRAFFORD

Bickford, David Hannon, Joseph Mullen, John

Beaudoin, Steven

Groen, Warren

Leeman, Don

Cheney, Catherine Jones, Laura Turcotte, Leonard

Graham, Robert Kaczynski, Jr., Thomas Wuelper, Kurt

SULLIVAN

Cloutier, John Laware, Thomas Rollins, Skip and the majority committee report was adopted.

HB 1508, allowing public libraries to run certain privacy software. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Keith Ammon for the Majority of Municipal and County Government. This bill, as amended, makes it clear that libraries in New Hampshire have the prerogative to run software used to protect privacy on the Internet. The amendment eliminated a provision in the original bill that required written notice to persons prior to records relative to use of cryptographic privacy software being given to a government agency. Internet privacy in the digital age is fundamental to the sacred right of free speech; this includes the right to open inquiry without having the subject of one's interest examined or scrutinized by others, including governments, corporations, or bad actors. Librarians have historically been very sensitive to the issue of patron privacy. The American Library Association has protected and upheld patron privacy as one of their core values since 1939. This bill does not mandate that libraries run privacy software but simply clarifies their ability to do so. Much of the software is free and open source and costs pennies a month to run if it costs anything. The American Civil Liberties Union of NH testified in favor of this bill. Vote 9-6.

Rep. Patricia Cornell for the Minority of Municipal and County Government. This bill would allow libraries to run software to protect the privacy of patrons using their Internet connections. Libraries already have this authority and are adamant about protecting patron privacy making this law unnecessary.

Majority Amendment (0625h)

Amend RSA 202-A:26 as inserted by section 2 of the bill by replacing it with the following:

202-A:26 Cryptographic Privacy Software. Public libraries may allow the installation and use of cryptographic privacy platforms on public library computers for library patrons use. Cryptographic privacy software shall include Tor or other privacy software that encrypts user's information to protect it from surveillance or collection. Public libraries may also support infrastructure for cryptographic software that helps to promote a free and open Internet, such as running Tor relays.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 268 members having voted in the affirmative, and 62 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1678-FN, relative to the information statement contained on a property tax bill. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Franklin Sterling for the Majority of Municipal and County Government. The purpose of this bill is to add additional language to appear on all property tax bills informing taxpayers of exemptions, credits or abatements that may be available to them to lower their assessment or total tax due. The committee is of the opinion that there is sufficient information on property tax bills currently. Vote 13-3. Rep. Catherine Cheney for the Minority of Municipal and County Government. Our committee had a similar bill last year. This bill would add language pertaining to mistakes or questions of value to the list of existing criteria to clarify circumstances whereby an exemption or abatement may be sought. Though there was testimony that it would cost too much, there was also testimony that it would not cost much at all to add a few words. We felt it would help create greater awareness for the taxpayers. Majority committee report adopted.

(Speaker Jasper in the Chair)

HB 1349, relative to the location of the Merrimack county superior court. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Mark McConkey for the Majority of Public Works and Highways. The 2015 Capital Budget approved \$16.6 million for the construction of a new Merrimack County Superior Court facility on Hazen Drive. Subsequent to that action the city of Concord and Merrimack County made another last minute attempt to move the approved location to the current site of the Merrimack County Superior Court. This new proposal would have Merrimack County constructing the court facility and upon completion selling it to the state for \$15.7 million. Since the approval of the Capital Budget work has continued on building the facility on Hazen Drive, including choosing an architectural firm to work

on the project. Newly refined figures show an estimated cost for the state to construct the facility to be \$14.5 million. Even taking into account the factors of lost time dealing with this bill and the distinct possibility of losing a construction season, the estimated savings to the state over the county plan would be in \$700,000 range. While great strides were made to have a firm proposal for the committee to review, all we have is the amendment before you which stipulates the state's position, but there is nothing signed between the state and the county even on these issues and testimony was given that there was more that had to be in any agreement. Additionally, the committee had asked that the residential neighbors be consulted about the proposed location and work schedules and that was not done. There was also concern that should there be cost overruns the county delegation would have to appropriate the funds and if that did not happen, the courthouse would sit substantially complete perhaps, but the state could not buy it. The Merrimack County Superior Court issue has been before the legislature for many years and the committee and legislature has bent over backwards and been given ample opportunity to locate a facility downtown. Construction of a new facility has been and still continues to be of critical importance and the bipartisan majority of the committee is unwilling to risk further delays with approving legislation which still has many unanswered questions. Vote 10-6. Rep. Mario Ratzki for the Minority of Public Works and Highways. This bill, as amended, provides a win-win opportunity for the state and our capital city of Concord. The amendment will make the county responsible for the construction of the Merrimack County courthouse downtown location. It also guarantees that the state will not be responsible for cost overruns. \$15.7 million is allocated to the county. This reflects a saving of \$900,000 from the original capital budget allocation. The city of Concord, as well as the bipartisan Merrimack County delegation supports the downtown location. The alternate location of Hazen Drive presents logistical problems for the county attorney and the county sheriff. Access for the public is also problematic for people who depend on public transportation. A Concord downtown location would enhance the vitality and economic well-being of our capital city. Therefore, we ask the House to vote OTP as amended.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Dan McGuire, Schuett and Shurtleff spoke against. Reps. Erin Hennessey, Irwin and McConkey spoke in favor. Rep. Chandler requested a roll call; sufficiently seconded.

YEAS 126 NAYS 212

YEAS - 126 BELKNAP

Dumais, Russell LeBreche, Shari	Flanders, Donald Russell, David	Gallagher, Brian Spanos, Peter	Hurt, George Tilton, Franklin
	C	ARROLL	
Avellani, Lino Crawford, Karel Parker, Harold	Buco, Thomas McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted
	C	HESHIRE	
Abbott, Michael Sterling, Franklin	Hunt, John Tatro, Bruce	McConnell, James	Roberts, Kris
		COOS	
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholi, John
	G	RAFTON	
Bailey, Brad Ladd, Rick	Brown, Duane Shackett, Jeffrey	Hennessey, Erin	Higgins, Patricia
	HILL	SBOROUGH	
Adams, Christopher Boehm, Ralph	Balcom, John Christie, Rick	Barry, Richard Coffey, James	Biggie, Barbara Gagne, Larry

Coffey, James

Gagne, Larry

Hull, Robert

Massimilla, Linda

Townsend, Charles

Hennessey, Martha

Maes, Kevin

Sykes, George

Gionet, Edmond

Smith, Suzanne

Johnson, Eric

Halstead, Carolyn Haefner, Robert Gould, Linda Gorman, Mary Jack, Martin Infantine, William Hinch, Richard Hansen, Peter McCarthy, Peggy Marston, Dick LeBrun, Donald Lachance, Joseph Parison, James Palmer, Barry Ober, Lynne Moore, Josh Sweeney, Shawn Proulx, Mark Pierce, David Pellegrino, Anthony Wolf, Terry Takesian, Charlene Twombly, Timothy MERRIMACK Martin, John Marple, Richard Kuch, Bill Hill. Gregory Walsh, Thomas ROCKINGHAM Bush, Carol Barnes, Arthur Abramson, Max Abrami, Patrick Christie, Andrew Chirichiello, Brian Chase, Francis Cardon, G. Thomas Doucette, Fred Devine, James DeSimone, Debra Dean-Bailey, Yvonne Green, Dennis Gannon, William Elliott, Robert Duarte, Joe Hoelzel, Kathleen Hodadon, Bruce Harris, Jeffrey Griffin, Mary Major, Norman Kolodziei, Walter Katsakiores, Phyllis Introne, Robert O'Connor, John Nigrello, Robert Milz, David Matthews, Carolyn Prudhomme-O'Brien, Katherine Potucek, John Packard, Sherman Osborne, Jason Tilton, Rio Sweeney, Joe Schroadter, Adam Rice, Frederick Woitkun, Steven Welch, David Tucker, Pamela True, Chris **STRAFFORD** Graham, Robert Cheney, Catherine Bickford, David Berube, Roger Sprague, Dale Mullen, John Leeman, Don Gray, James Turcotte, Leonard SULLIVAN Schmidt, Andrew Rollins, Skip Laware, Thomas Irwin, Virginia Smith, Steven **NAYS - 212** BELKNAP Sylvia, Michael Howard, Jr., Raymond Fields, Dennis Aldrich, Glen Vadney, Herbert CARROLL Ticehurst, Susan Cordelli, Glenn Butier, Edward CHESHIRE Chase, Cynthia Bordenet, John Berch, Paul Ames, Richard Mann, John Ley, Douglas Johnsen, Gladys Eaton, Daniel Sad, Tara Robertson, Timothy Pearson, William Parkhurst, Henry Weber, Lucy Tilton, Benjamin Shepardson, Marjorie COOS Moynihan, Wayne Hatch, William Froburg, Alethea Fothergill, John Thomas, Yvonne Rideout, Leon **GRAFTON** Darrow, Stephen Cooney, Mary Almy, Susan

Abel. Richard

Ford, Susan

Ingbretson, Paul

Piper, Wendy White, Andrew

HILLSBOROUGH

Ammon, Keith Belanger, James Christensen, Chris Cote, David Eastman, Eric Ferreira, Elizabeth Goley, Jeffrey Harvey, Suzanne Hopper, Gary Long, Patrick McLean, Mark Notter, Jeanine Porter, Marjorie Rouillard, Claire Shattuck, Gilman Smith, Timothy Sullivan, Victoria

Backus, Robert Brown, Pamela Christiansen, Lars Danielson, David Edelblut, Frank Freitas, Mary Griffin, Barbara Heath, Mary Jeudy, Jean Mangipudi, Latha McNamara, Richard Ober, Russell Rice, Kimberly Rowe, Robert Shaw, Barbara Snow, Kendall Ulery, Jordan

Baroody, Benjamin Burt, John Cohen, Alan DiSilvestro, Linda Edwards, Elizabeth Fromuth, Bart Guerette, C. Lee Herbert, Christopher Kurk, Neal Manley, Jonathan Murotake, David Ohm. Bill Roberts, Carol Sanborn, Laurie Simmons, Tammy Soucy, Timothy Vann, Ivy

Beaulieu, Jane Byron, Frank Cornell, Patricia Donovan, Daniel Estevez, Eric Gidge, Kenneth Hansberry, Daniel Hogan, Edith Leishman, Peter Martel, Andre Murphy, Keith Peterson, Ken Rosenwald, Cindy Schleien, Eric Smith, Gregory Sullivan, Daniel Walsh, Robert

MERRIMACK

Alicea, Caroletta Carson, Clyde Frazer, June Henle, Paul Kenison, Linda Luneau, David Moffett, Howard Ratzki, Mario Schuett, Dianne Wallner, Mary Jane

Williams, Kermit

Bartlett, Christy Deloge, Helen French, Barbara Hoell, J.R. Kidder, David MacKay, James Myler, Mel Rice, Chip Seaworth, Brian Wheeler, Deborah

Bradley, Paula Doherty, David French, Harold Horn, Werner Kotowski, Frank McGuire, Carol Parent, Jason Rogers, Katherine Shurtleff, Stephen Brewster, Michael Ebel, Karen Gile, Mary Karrick, David Long, Douglas McGuire, Dan Patten, Dick Saunderson, George Turcotte, Alan

ROCKINGHAM

Azarian, Gary Borden, David Cushing, Robert Francese, Paula Kappler, Lawrence Pantelakos, Laura Sytek, John Ward, Gerald

Baldasaro, Alfred Cahill, Michael DiFranco, Debbie Gordon, Pamela Lovejoy, Patricia Peckham, Michele Tamburello, Daniel Ward, Joanne Bates, David Cali-Pitts, Jacqueline Emerick, J. Tracy Heffron, Frank McBeath, Rebecca Simpson, Alexis Thomas, Douglas Webb, James

Berrien, Skip Cook, Allen Ferrante, Beverly Itse, Daniel McKinney, Betsy Spillane, James Vose, Michael Weyler, Kenneth

STRAFFORD

Baber, William DiSesa, Len Jones, Laura Rollo, Deanna Spang, Judith Wuelper, Kurt Beaudoin, Steven Groen, Warren Kaczynski, Jr., Thomas Schmidt, Peter Stevens, Audrey

Bixby, Peter Hannon, Joseph Kaen, Naida Smith, Marjorie Wall, Janet

Burton, Wayne Horrigan, Timothy Pitre, Joseph Southworth, Thomas Ward, Kenneth

SULLIVAN

Cloutier, John Grenier, James

Converse, Larry Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report failed.

Rep. Schuett moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (0847h).

Minority Amendment (0847h)

Amend the title of the bill by replacing it with the following:

relative to the Merrimack county superior court.

Amend the bill by replacing all after the enacting clause with the following:

- 1 2015 Capital Budget; Merrimack County Superior Court; Location. Amend 2015, 220:1, II, D to read as follows:
 - (D) Court Facilities

(1) Merrimack County Superior Court New Courthouse [*]

(2) Hampton Circuit Court, Architectural/Engineering

[16,600,000]\$*15,700,000* 300,000

(3) Milford Circuit Court, Architectural/Engineering

255,500

* The location for the siting of the Merrimack county superior court facility shall be in Concord on [state lands adjacent to the supreme court] a parcel appropriate to contain the court building and associated parking.

2 2015 Capital Budget; Merrimack County Superior Court; New Courthouse. The appropriation

made in 2015, 220:1, II, D, 1 shall be subject to the following:

I. Notwithstanding any other provision of law, the state, through the department of administrative services, shall be permitted to enter into an agreement to acquire property from Merrimack county on North Main Street in the city of Concord, containing a new courthouse and no less than 150 dedicated parking spaces, by warranty deed, for no more than \$15,700,000.

II. The courthouse shall be constructed in compliance with the current division of public works design and construction standards and the minimum standards for all courts, adopted by the New Hampshire court accreditation commission, and at a minimum, shall satisfy the Merrimack County Courthouse Design and Space Planning study by SMRT, Inc., dated May 29, 2014.

III. The state shall have the right to review and reject the design plans and specifications provided by the county, or its designee, at regular intervals agreed to by the state and county.

IV. The price of the new courthouse shall include compensation to the department of administrative services, or its designee, in the amount of \$175,000 to support 2 full-time clerk of the works positions for the project, \$25,000 to support an on-call architect for the project, \$25,000 to pay the current architect, SMRT, Inc., for its work on the project, and \$350,000 for furniture and equipment. Said amounts shall be held back from the final purchase price paid by the state to the county.

V. Until the new courthouse is completed and the existing courthouse is fully renovated, the clerk of the Merrimack superior court, or designee, shall have the authority to order a stop to any and all construction activities that, in the opinion of the clerk, interfere with the regular operation of the court. The county shall be solely responsible for any costs and delays associated with stop work orders issued pursuant to the clerk's authority.

VI. Merrimack county shall provide a property description and title history for the property to be transferred to the state within 90 days of the execution of an agreement. The county shall be responsible for all surveys, subdivision approvals, and all other approvals necessary to effectuate

the transfer of the property from the county to the state.

VII. The plans and specifications for this project shall be reviewed and approved by the state fire marshal.

VIII. The state shall have the right to terminate the agreement without penalty prior to the state's acceptance of the final design documents and specifications; provided that the state shall not be arbitrary or capricious in exercising such right, and shall act in accordance with the implied covenant of good faith and fair dealing.

IX. During the construction of the courthouse and associated activities, the county shall provide the state with full access to the construction site and project meetings and shall allow the state the

opportunity to review and reject any work performed.

X. The county shall provide a one-year warranty on the work performed related to the court-

house and shall transfer all product warranties to the state.

XI. The state's payment obligations under the agreement shall be as follows: 95 percent of the purchase price set forth in paragraph I, less compensation to the state set forth in paragraph IV, shall be due to the county on the date of substantial completion of the entire project, including the demolition of the so-called registry building. The remaining 5 percent of the purchase price shall be due at the time of the state's final acceptance of the project. For purposes of this section, the date of substantial completion shall mean the date on which the county conveys its property to the state.

XII. The county shall defend and indemnify the state from any and all claims arising out of or alleged to have arisen out of the construction project.

XIII. In the event that the state and county do not come to an agreement for the purchase of the courthouse and property or in the event that the agreement is terminated prior to acceptance of the final design, the state may use this appropriation to construct the courthouse facility on state lands next to the supreme court.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill reduces a capital budget appropriation for a new courthouse for the Merrimack county superior court and eliminates the capital budget requirement that the Merrimack county superior court be sited on state lands adjacent to the supreme court.

The bill also establishes certain requirements for the acquisition of courthouse property and construction of the courthouse.

Minority committee amendment adopted.

Minority committee report adopted and ordered to third reading.

HB 2016, relative to the state 10-year transportation improvement program. OUGHT TO PASS WITH AMENDMENT.

Rep. Gene Chandler for Public Works and Highways. HB 2016 is the Ten-Year Transportation Improvement Program (TYP) for the State of New Hampshire, covering the period from 2017-2026. The plan is fully financially constrained at a total of \$3.74 billion and contains projects in the following categories and estimated amounts: highway funding - \$2.68 billion; turnpike improvements - \$461 million; airports - \$260 million; rail - \$10 million; and federal transit - \$324 million. The TYP was vetted with input from the municipalities via the regional planning commissions and with the public through a series of 16 GACIT (Governor's Advisory Commission on Intermodal Transportation) public hearings. GACIT consists of the Governor's Executive Council and the Commissioner of the Department of Transportation. GACIT submitted their proposal to the Governor, and subsequently the Governor submitted her proposal to the Public Works and Highways Committee, which held several hearings and work sessions on the TYP. The TYP includes a focus on pavement preservation, red listed bridges and bridge preservation; pledges work on rural roads and bridges; includes the completion of I-93 from Salem to Manchester and provides funding for Exit 4A in Londonderry. The plan includes a heightened financial constraint for an increased level of accountability and predictability in program delivery. The plan includes an assumed inflation factor of 3% and relies on the utilization of turnpike toll credits for the state fund share instead of a cash contribution for federally funded projects. An amendment was proposed to remove the \$4 million rail study money from the plan, but the vote was 10-10 whereby the project remained in the plan. The amendment to the bill/plan deals with authorizing the further issuance of GARVEE bonds for the reconstruction/rehabilitation of two Connecticut River bridges, one on I-89 and one on Route 119. Several projects that were previously unfunded in previous ten-year plans include continuing projects on I-89 and I-93 in Concord and Exits 6 and 7 in Manchester, including interchanges. The amendment also addresses increased funds for improvements to the central turnpike and enhanced study of Exit 10 on the Spaulding Turnpike; approval for a new loan financing structure under TIFA C Transportation Infrastructure Finance and Innovation Act to complete the widening of I-93 from Salem to Manchester. The loan will be structured to require revenue from SB 367 to be used for improvements to approximately 1160 miles of rural roads and approximately 23 red listed bridges during the first nine years of the loan. These improvements are over and above the normal programs for these areas. Subsequent to the ninth year the funds collected for SB 367 will be used to make interest and principle payments on the loan. Also included is language to provide for additional funding for TIGER grants should any be available. Since the Department anticipates at least \$9 million of savings due to the light winter, the committee unanimously agreed to allocate these savings to increase by \$2.5 million the Capital Equipment Program, 85% of which is to be used for large trucks and heavy equipment, and 15% for light trucks and passenger vehicles; \$2.5 million of excess funds to bolster the municipal state aid bridge program; and \$4 million for the highway betterment account for bridge work and resurfacing throughout the state's highway districts. The final portion of the amendment deals with a project in Littleton whereby the state pays for 2/3 of the project and the town pays for 1/3. There is still money left in this account after approval of this project should any town wish to avail themselves of these funds. These are projects on state roads that the towns feel are important enough to use town funds as a 1/3 match. Vote 18-2.

Amendment (0903h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 12:

2 Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border, the replacement of the Sarah Mildred Long Bridge in Portsmouth, New Hampshire, and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds. The bonds shall be issued by the treasurer in such amounts as the fiscal committee of the general court and the governor and council shall determine, and shall not exceed \$490,000,000. Debt service for federal highway grant anticipation bonds (GARVEE bonds) for the projects shall be paid from a portion of future federal funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine. The state may further issue GARVEE bonds for the purpose of financing the project costs related to the replacement and/or rehabilitation of 2 Connecticut river bridges, located in Lebanon, New Hampshire and Hinsdale, New Hampshire, pursuant to the issuance process in this paragraph.

3 Turnpike System; Authority Granted. Amend RSA 237:2, VII(b) and (c) to read as follows:

(b) Plan [and], engineer, and construct improvements [to], and acquire land as necessary for the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from the junction of interstate 89 in the city of Concord to the northerly expansion joint of the Interstate 93 bridge over Loudon Road and N.H. Route 9 (bridge no. 163/106).

(c) Plan [and], engineer, and construct improvements [to], and acquire land as necessary for the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from exit 6 to exit 7 in the city of Manchester, as well as the reconstruction of the exit 6 and exit 7 interchanges.

4 Turnpike System; Funds Provided. Amend RSA 237:7, I(h) to read as follows:

(h) Improvements to central New Hampshire turnpike.

\$697,000,000 RSA 237:2, IV(h), VII, VII(b), VII(c), IX. [\$574,900,000]

5 Turnpike System; Funds Provided. Amend RSA 237:7, I(j) to read as follows:

(j) Study of exit 10 on Spaulding turnpike. \$3,500,000 [\$1,100,000]RSA 237:2 II-a.

6 Department of Transportation; Transportation Infrastructure Finance and Innovation Act. In accordance with RSA 6:13-d, the department of transportation anticipates securing a loan of \$200,000,000 through the federal Transportation Infrastructure Finance and Innovation Act (TIFIA), 23 U.S.C. sections 601-609, to complete the widening of Interstate 93 from Salem to Manchester. It is anticipated that the loan will be structured to require revenue collected under 2014, 17 (SB 367-FN-A), to be used for the improvement of approximately 1,160 miles of rural roads (\$12,000,000 per year) and approximately 23 red list bridges (\$8,000,000 per year) during the first 9 years of the loan. Subsequent to the ninth year, funds collected under 2014, 17 shall be used to make interest and principal payments on the loan. Consequently, the department will no longer be able to invest in rural roads and red list bridges at the same levels. The state 10-year transportation improvement plan sets forth projects to improve roads and bridges in accordance with the conditions of the loan.

7 Department of Transportation; Grants. If the department of transportation or any municipality is successful in obtaining additional grant funding (such as TIGER grants) for projects in the state 10-year transportation improvement plan, the department may modify and/or advance project funding, as practical, for such projects in order to leverage these additional grant funds.

8 Department of Transportation; Purchase of Fleet Vehicles. The department of transportation may expend up to \$2,500,000 in excess funds from the winter maintenance accounting unit (2928) from fiscal year 2016 for the purchase of fleet vehicles. Eighty-five percent of said funds shall be appropriated for trucks and heavy equipment. Fifteen percent of said funds shall be appropriated for light trucks and passenger vehicles. Said funds shall be appropriated from the undesignated highway surplus account and shall be continually appropriated and nonlapsing.

9 Department of Transportation; Expenditure for State Bridge Aid Program. The department of transportation may expend up to \$2,500,000 in excess funds from the winter maintenance accounting unit (2928) from fiscal year 2016 for the state bridge aid program under RSA 234:5. Said funds shall be appropriated from the undesignated highway surplus account and shall be

continually appropriated and nonlapsing.

10 Department of Transportation; Highway Bridge and Betterment. Pursuant to the intent of 2014, 17 (SB 367-FN-A), excess funds in highway maintenance accounting unit (3007) should be spent on roads and bridges. Notwithstanding any law to the contrary, any lapsing funds up to \$4,000,000 in the highway maintenance accounting unit (3007) from fiscal year 2016 shall be appropriated to the department of transportation from the undesignated highway surplus account and shall be continually appropriated for use in class 400 in accounting unit 8910 for highway bridge and betterment district resurfacing and district rehabilitation programs. Said funds shall be nonlapsing.

11 Department of Transportation: Transfer of Funds: \$200,000 of the undesignated programmatic funds under the State Aid Highway Program (SAH) in 2018 shall be designated to the Littleton Saranac Street project.

Amend the bill by replacing section 12 with the following:

12 Effective Date.

- I. Sections 8, 9, and 10 of this act shall take effect July 1, 2016.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Adopts the 10-year transportation improvement plan for 2017-2026.
- II. Adds purposes for which the state may issue GARVEE bonds.
- III. Modifies funding for projects on the central New Hampshire turnpike and the Spaulding turnpike.
- IV. Authorizes the department of transportation to expend certain funds for the purchase of fleet vehicles, for the state bridge aid program, and for highway bridge and betterment district resurfacing and rehabilitation programs.

V. Transfers certain funds under the state aid highway program to the Littleton Saranac Street project. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (0941h).

Floor Amendment (0941h)

Amend the bill by inserting after section 11 the following and renumbering the original section 12 to read as 13:

12 Department of Transportation; Nashua-Manchester-Concord. Funding for the Nashua-Manchester-Concord Capitol Corridor Rail project, project number 40818, is deleted from the "10year Transportation Improvement Plan 2017-2026 submitted by the Governor to the Legislature Pursuant to RSA 228:99 and RSA 240 of the Laws of New Hampshire."

AMENDED ANALYSIS

This bill:

- I. Adopts the 10-year transportation improvement plan for 2017-2026.
- II. Adds purposes for which the state may issue GARVEE bonds.

III. Modifies funding for projects on the central New Hampshire turnpike and the Spaulding turnpike.

IV. Authorizes the department of transportation to expend certain funds for the purchase of fleet vehicles, for the state bridge aid program, and for highway bridge and betterment district resurfacing and rehabilitation programs.

V. Transfers certain funds under the state aid highway program to the Littleton Saranac Street project.

VI. Deletes the Nashua-Manchester-Concord Capitol Corridor Rail project, project number 40818, from the 10-year transportation improvement plan 2017-2026.

Rep. O'Connor spoke in favor.

Rep. Sprague spoke against.

Rep. Chandler yielded to questions.

Rep. Cloutier requested a roll call; sufficiently seconded.

YEAS 174 NAYS 162

YEAS - 174

BELKNAP

Fields, Dennis Hurt, George Tilton, Franklin	Flanders, Donald LeBreche, Shari Vadney, Herbert	Gallagher, Brian Spanos, Peter
	CARROLL	
Buco, Thomas Crawford, Karel Parker, Harold	Chandler, Gene McCarthy, Frank Schmidt, Stephen	Comeau, Ed McConkey, Mark Umberger, Karen
	Hurt, George Tilton, Franklin Buco, Thomas Crawford, Karel	Hurt, George LeBreche, Shari Tilton, Franklin Vadney, Herbert CARROLL Buco, Thomas Chandler, Gene Crawford, Karel McCarthy, Frank

CHESHIRE

Hunt, John	McConnell, James	Roberts, Kris	Sterling, Franklin
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COOS

Rappaport, Laurence	Richardson, Herbert	Hideout, Leon	HOII, JOHN
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GRAFTON

Bailey, Brad	Brown, Duane	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Massimilla, Linda
Piper, Wendy	Shackett, Jeffrey		

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christiansen, Lars Edelblut, Frank Griffin, Barbara Hinch, Richard Kurk, Neal Kurk, Neal Hogan, Edith Kurk, Neal Kuclean, Mark Ober, Lynne Pellegrino, Anthony Rowe, Robert Sullivan, Victoria Wolf, Terry Moehm, Reith Boehm, Ralph Christie, Rick Ferreira, Elizabeth Haefner, Robert Hogan, Edith Leishman, Peter Moore, Josh Ober, Russell Peterson, Ken Sanborn, Laurie Sweeney, Shawn Wolf, Terry	Balcom, John Burt, John Coffey, James Gagne, Larry Halstead, Carolyn Hopper, Gary Marston, Dick Murphy, Keith Palmer, Barry Rice, Kimberly Schleien, Eric Takesian, Charlene	Barry, Richard Byron, Frank Donovan, Daniel Gould, Linda Hansen, Peter Infantine, William Martel, Andre Notter, Jeanine Parison, James Rouillard, Claire Simmons, Tammy Ulery, Jordan
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MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Walsh, Thomas			

POCKINGHAM

	RU	CKINGHAM	
Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Bush, Carol	Cardon, G. Thomas	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Gannon, William	Green, Dennis	Griffin, Mary
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Major, Norman	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katheri	
Spillane, James	Sweeney, Joe	Sytek, John	Tamburello, Daniel
Thomas, Douglas	Tilton, Rio	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth		•	
	ST	RAFFORD	

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard	Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt	Cheney, Catherine Hannon, Joseph Mullen, John	Graham, Robert Jones, Laura Pitre, Joseph
		SULLIVAN	
Grenier, James	Rollins, Skip	Smith Steven	

ľ	NAYS	- 162
]	BELK	NAP

Dumais,	Russell	Russell,	David
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CARROLL

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Butler,	Edward	Ticehurst,	Susan

Fothergill, John

Theberge, Robert

CHESHIRE			
Ames, Richard	Berch, Paul		
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Abbott, Michael Chase, Cynthia Mann, John Sad, Tara Weber, Lucy	Ames, Richard Eaton, Daniel Parkhurst, Henry Shepardson, Marjorie	Berch, Paul Johnsen, Gladys Pearson, William Tatro, Bruce	Bordenet, John Ley, Douglas Robertson, Timothy Tilton, Benjamin

COOS

Hatch, William

Moynihan, Wayne

		GRAFTON	
Abel, Richard	Almy, Susan	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Martha	Higgins, Patricia

Froburg, Alethea

Thomas, Yvonne

Abel, Hichard	Aimy, Susan	Cooney, mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew		, ,	remissing, enames

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Belanger, James
Brown, Pamela	Christensen, Chris	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Eastman, Eric
Edwards, Elizabeth	Estevez, Eric	Flanagan, Jack	Freitas, Marv
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Lachance, Joseph	LeBrun, Donald

Long, Patrick McNamara, Richard Porter, Marjorie Shattuck, Gilman Snow, Kendall Vann, Ivy	Mangipudi, Latha Murotake, David Proulx, Mark Shaw, Barbara Soucy, Timothy Walsh, Robert	Manley, Jonathan Ohm, Bill Roberts, Carol Smith, Gregory Sullivan, Daniel Williams, Kermit	McCarthy, Peggy Pierce, David Rosenwald, Cindy Smith, Timothy Twombly, Timothy

MERRIMACK Bartlett, Christy

Carson, Clyde Bradley, Paula Alicea, Caroletta Frazer, June Ebel, Karen Doherty, David Deloge, Helen Hirsch, Geoffrey Henle, Paul Gile, Mary French, Barbara Luneau, David Kenison, Linda Karrick, David Horn, Werner Patten, Dick Myler, Mel Moffett, Howard MacKay, James Saunderson, George Rogers, Katherine Rice, Chip Ratzki, Mario Turcotte, Alan Shurtleff, Stephen Seaworth, Brian Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Cahill, Michael Borden, David Berrien, Skip Barnes, Arthur DiFranco, Debbie Cushing, Robert Chase, Francis Cali-Pitts, Jacqueline Lovejoy, Patricia Heffron, Frank Gordon, Pamela Francese, Paula Simpson, Alexis Pantelakos, Laura McBeath, Rebecca Matthews, Carolyn Ward, Gerald

STRAFFORD

Burton, Wayne Bixby, Peter Berube, Roger Baber, William Kaen, Naida Horrigan, Timothy DiSesa, Len Cilley, Jacalyn Southworth, Thomas Smith, Marjorie Schmidt, Peter Rollo, Deanna Wall, Janet Stevens, Audrey Sprague, Dale Spang, Judith Ward, Kenneth

SULLIVAN

Gottling, Suzanne Gagnon, Raymond Converse, Larry Cloutier, John Schmidt, Andrew Laware, Thomas Oxenham, Lee Irwin, Virginia

and floor amendment (0941h) was adopted.

Committee report adopted and ordered to third reading. Rep. Seaworth voted Nay and intended to vote Yea.

HB 1517, relative to temporary seasonal docks. REFER FOR INTERIM STUDY.

Rep. John Mullen for Resources, Recreation and Development. The intent of this bill was to reduce the lot line setback for temporary seasonal docks. The 20-foot setback requirement was originally set forth by administrative rules in 1997 and codified in statute the following year by the legislature in 1998. In 2002, the legislature simplified the process for putting in a seasonal dock by eliminating the need for a permit from the Department of Environmental Services (DES). Instead the property owner had only to notify DES of the installation and certify that certain conditions were met, including the 20-foot setback. Testimony on this bill was presented by a variety of state agencies, including DES and the Department of Safety, as well as other stakeholders including individual owners. A subcommittee explored the many aspects of the setback issue in regards to safety as well as protecting individual property rights. During the executive session on the bill, concerns were brought up about the details of the bill, how its implementation would affect state agencies, and its long-term effect on property owners' rights. After much discussion it was determined that a more thorough examination of the bill was needed. Vote 15-3. Committee report adopted.

The House recessed at 12:07 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair) MOTION TO REMOVE FROM THE TABLE

Rep. Vose moved that **HB 297**, protecting individual customer data from disclosure by a public utility, be removed from the table.

Motion adopted.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Vose spoke against.

On a division vote, with 66 members having voted in the affirmative, and 244 in the negative, the majority committee report failed.

Rep. Vose moved the minority committee report of Ought to Pass and offered floor amendment (0295h).

Floor Amendment (0295h)

Amend RSA 363:38, II as inserted by section 1 of the bill by replacing it with the following:

II. Service providers shall:

(a) Collect, store, use, and disclose only as much individual customer data as is necessary to accomplish primary purposes.

(b) Use individual customer data solely for primary purposes.

Amend RSA 363:38, V(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Nothing in this section shall preclude a service provider from disclosing a customer's individual data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that the service provider for contracts entered into after January 1, 2017, has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, use, destruction, modification, or disclosure, and prohibit the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer.

Rep. Vose spoke in favor and yielded to questions.

Floor amendment (0295h) adopted.

Minority committee report of Ought to Pass with Amendment adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

HB 1104, relative to electric renewable energy classes. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. The bipartisan majority of the committee felt that this bill, which allows hydropower for renewable portfolio standards (RPS) compliance in lieu of developing local renewables, could harm New Hampshire's renewable energy industries which are providing value to our economy, our municipalities, and our ratepayers. The committee heard from the Department of Environmental Services that this bill would promote instability and lack of certainty in the state's renewable portfolio law. The committee also had testimony from the Public Utilities Commission stating that the bill could have the unintended consequence of increasing ratepayer rates due to Federal Energy Regulatory Commission (FERC) Order 1000. The RPS has created and continues to support many jobs in New Hampshire. For example, in the biomass industry, thousands of jobs related to the forests and timber industry have driven an overall economic benefit of over \$173.8 million annually to the state. Vote 14-7.

Rep. David Murotake for the Minority of Science, Technology and Energy. The minority is concerned the rapid increase of Class I renewable energy goals that began in 2015, established in RSA 362-F:3, will result in higher energy costs for consumers given the failed expectations of industrial wind in NH. Class I is the largest of the Renewable Portfolio Standard (RPS) classes and includes a variety of renewable sources, including wind and incremental new production from large hydro put into operation after 1/1/2006. The sharp increase of 0.9% per year in Class I may not be achievable. This bill proposes that electricity providers be allowed to use the production from older large hydro facilities to satisfy their Class I requirements when there is a shortage of Renewable Energy Credits (RECs). Neighboring ISO New England states, like Massachusetts, permit older large hydro, placed into operation after 12/31/1997, to be used to satisfy their Class

Hirsch, Geoffrey

1 requirements. New Hampshire cannot use this clean, renewable source under current statute. While emotional testimony claims this legislation will hurt the biomass (wood) industry, expert testimony shows this is untrue. RPS, though complex, has numerous "carve outs," and this legislation leaves all such protections for other classes intact.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Richardson spoke in favor.

Rep. Murotake spoke against and requested a roll call; sufficiently seconded.

YEAS 210 NAYS 126

		EAS - 210 ELKNAP	
Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
	C	ARROLL	
Buco, Thomas Cordelli, Glenn Ticehurst, Susan	Butler, Edward McConkey, Mark Umberger, Karen	Chandler, Gene Parker, Harold Wright, Ted	Comeau, Ed Schmidt, Stephen
	CI	HESHIRE	
Abbott, Michael Eaton, Daniel Pearson, William Sterling, Franklin	Ames, Richard Hunt, John Robertson, Timothy Tatro, Bruce	Berch, Paul Ley, Douglas Sad, Tara Tilton, Benjamin	Chase, Cynthia Mann, John Shepardson, Marjorie Weber, Lucy
		COOS	
Fothergill, John Richardson, Herbert	Froburg, Alethea Theberge, Robert	Moynihan, Wayne Tholl, John	Rappaport, Laurence Thomas, Yvonne
	G	RAFTON	
Abel, Richard Cooney, Mary Higgins, Patricia Massimilla, Linda Sykes, George	Almy, Susan Ford, Susan Hull, Robert Piper, Wendy Townsend, Charles	Bailey, Brad Hennessey, Erin Ladd, Rick Shackett, Jeffrey White, Andrew	Brown, Duane Hennessey, Martha Maes, Kevin Smith, Suzanne
	HILL	SBOROUGH	
Backus, Robert Biggie, Barbara Coffey, James DiSilvestro, Linda Freitas, Mary Guerette, C. Lee Heath, Mary Jack, Martin Mangipudi, Latha Peterson, Ken Rice, Kimberly Seidel, Carl Snow, Kendall Williams, Kermit	Baroody, Benjamin Brown, Pamela Cohen, Alan Donovan, Daniel Gagne, Larry Haefner, Robert Herbert, Christopher Kurk, Neal Manley, Jonathan Pierce, David Roberts, Carol Shattuck, Gilman Takesian, Charlene Wolf, Terry	Beaulieu, Jane Christensen, Chris Cornell, Patricia Edwards, Elizabeth Goley, Jeffrey Hansberry, Daniel Hinch, Richard Leishman, Peter McNamara, Richard Porter, Marjorie Rosenwald, Cindy Shaw, Barbara Vann, Ivy	Belanger, James Christiansen, Lars Cote, David Flanagan, Jack Gorman, Mary Harvey, Suzanne Infantine, William Long, Patrick O'Brien, Michael Proulx, Mark Rowe, Robert Smith, Timothy Walsh, Robert
Aliana Cavalatta		ERRIMACK Bradley, Paula	Carson, Clyde
Alicea, Caroletta Deloge, Helen	Bartlett, Christy Doherty, David	Ebel, Karen	Frazer, June

Hess, David

Gile, Mary

Henle, Paul

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Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Parent, Jason	Ratzki, Mario
Rice, Chip	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Walsh, Thomas	
	RO	CKINGHAM	
Abrami, Patrick	Abramson, Max	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Christie, Andrew	Cushing, Robert	Dean-Bailey, Yvonne	Devine, James
DiFranco, Debbie	Doucette, Fred	Francese, Paula	Friel, William
Gordon, Pamela	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Kolodziej, Walter McKinney, Betsy	Lovejoy, Patricia	Matthews, Carolyn	McBeath, Rebecca
Packard, Sherman	McMahon, Charles Pantelakos, Laura	Milz, David	Nigrello, Robert
Simpson, Alexis	Sweeney, Joe	Peckham, Michele Sytek, John	Rice, Frederick
Ward, Joanne	Webb, James	Woitkun, Steven	Ward, Gerald
	·	RAFFORD	
Baber, William			D
DiSesa, Len	Bickford, David Gray, James	Bixby, Peter	Burton, Wayne
Rollo, Deanna	Schmidt, Peter	Horrigan, Timothy Smith, Marjorie	Kaen, Naida
Spang, Judith	Sprague, Dale	Stevens, Audrev	Southworth, Thomas
Wall, Janet	Ward, Kenneth	olevens, Addrey	Treleaven, Susan
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Olaveta Lab.		ULLIVAN	
Cloutier, John Grenier, James	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Schmidt, Andrew	Irwin, Virginia Smith, Steven	Oxenham, Lee	Rollins, Skip
	,		
		AYS - 126	
	В	BELKNAP	
Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Howard, Jr., Raymond
LeBreche, Shari Tilton, Franklin	Russell, David	Spanos, Peter	Sylvia, Michael
rittori, Frankliri	Vadney, Herbert		
		ARROLL	
Avellani, Lino	McCarthy, Frank	Nelson, Bill	
	C	HESHIRE	
Bordenet, John	Johnsen, Gladys	McConnell, James	Roberts, Kris
		coos	
Hatch, William	Rideout, Leon		
	G	RAFTON	
Darrow, Stephen	Ingbretson, Paul	Johnson, Eric	
Adama Christophar		SBOROUGH	
Adams, Christopher Boehm, Ralph	Ammon, Keith Bouldin, Amanda	Balcom, John	Barry, Richard
Christie, Rick	Danielson, David	Burt, John Eastman, Eric	Byron, Frank
Estevez, Eric	Ferreira, Elizabeth	Gidge, Kenneth	Edelblut, Frank Gould, Linda
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell

Ohm, Bill Palmer, Barry Parison, James Rouillard, Claire Sanborn, Laurie Schleien, Eric Simmons, Tammy Ulery, Jordan

MERRIMACK

Rouillard, Claire Smith, Gregory

MERRIMACK

Brewster, Michael French, Barbara French, Harold Hill, Gregory
Hoell, J.R. Horn, Werner Marple, Richard Martin, John
McGuire, Carol McGuire, Dan Seaworth, Brian Wheeler, Deborah

ROCKINGHAM

Bush, Carol Bates, David Baldasaro, Alfred Azarian, Gary DeSimone, Debra Cook, Allen Chirichiello, Brian Chase, Francis Gannon, William Ferrante, Beverly Emerick, J. Tracy Duarte, Joe Hodgdon, Bruce Harris, Jeffrey Griffin, Mary Green, Dennis Katsakiores, Phyllis Major, Norman Kappler, Lawrence Itse, Daniel Prudhomme-O'Brien, Katherine Potucek, John Osborne, Jason O'Connor, John Thomas, Douglas Tamburello, Daniel Schroadter, Adam Spillane, James Vose, Michael Tucker, Pamela True, Chris Tilton, Rio

STRAFFORD

Beaudoin, Steven Berube, Roger Cheney, Catherine DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Pitre, Joseph Turcotte. Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas and the majority committee report was adopted.

Welch, David

HB 1116, relative to net metering. OUGHT TO PASS WITH AMENDMENT.

Rep. Herbert Vadney for Science, Technology and Energy. This bill addresses issues that arise from distributed power generation, such as from rooftop or community solar, and the resale of that energy back into the power grid. This bill includes solutions to the problems of (1) legislative production caps that threaten to shut down a growing New Hampshire industry employing over 750 people, and (2) concerns about reimbursement rates paid for energy sold back into the electric grid. The bill both keeps the jobs in New Hampshire and creates a transition plan that will bring us to a systemic solution for the rate structure, eliminating the need for production caps in the future and addressing equitable treatment between those that install solar and those that choose not to install solar. Vote 19-0.

Amendment (0601h)

Amend the bill by replacing section 1 with the following:

Weyler, Kenneth

1 Purpose Statement. To meet the objectives of electric industry restructuring pursuant to RSA 374-F, including the overall goal of developing competitive markets and customer choice to reduce costs for all customers, and the purposes of RSA 362-A and RSA 362-F to promote energy independence and local renewable energy resources, the general court finds that it is in the public interest to continue to provide reasonable opportunities for electric customers to invest in and interconnect customer-generator facilities and receive fair compensation for such locally produced power while ensuring costs and benefits are fairly and transparently allocated among all customers. The general court continues to promote a balanced energy policy that supports economic growth and promotes energy diversity, independence, reliability, efficiency, regulatory predictability, environmental benefits, a fair allocation of costs and benefits, and a modern and flexible electric grid that provides benefits for all ratepayers.

Amend RSA 362-A:9, I as inserted by section 3 of the bill by replacing it with the following:

I. Standard tariffs providing for net energy metering shall be made available to eligible customergenerators by each electric distribution utility in conformance with net metering rules adopted and orders issued by the commission. Each net energy metering tariff shall be identical, with respect to rates, rate structure, and charges, to the tariff under which a customer-generator would otherwise take default

generation supply service from the distribution utility. Such tariffs shall be available on a first-come. first-served basis within each electric utility service area under the jurisdiction of the commission until such time as the total rated generating capacity owned or operated by eligible customer-generators totals a number equal to [50 megawatts multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by all such utilities as determined by the commission] 100 megawatts, with 50 megawatts of the 100 megawatts allocated to the 4 electric distribution utilities that were subject to the commission's jurisdiction in 2010 multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 4 utilities, and 50 megawatts of the 100 megawatts allocated to the state's 3 investor-owned electric distribution utilities, multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 3 utilities, all to be determined by the commission and to be utilized by eligible customer-generators located within each such utilities' service territory. Eighty percent of each utility's share of the 50 megawatts shall be apportioned to facilities with a total generating capacity of not more than 100 kilowatts and 20 percent to facilities with a total generating capacity in excess of 100 kilowatts, but no greater than one megawatt. The 50 megawatts of capacity shall be made available to eligible customer-generators until such time as commission approved alternative net metering tariffs approved by the commission become available. No more than 4 megawatts of such total rated generating capacity shall be from a combined heat and power system as defined in RSA 362-A:1-a, I-d. Amend RSA 362-A:9, XVI-XVIII as inserted by section 5 of the bill by replacing it with the following:

XVI. No later than 3 weeks after the effective date of this paragraph, the commission shall initiate a proceeding to develop new alternative net metering tariffs, which may include other regulatory mechanisms and tariffs for customer-generators, and determine whether and to what extent such tariffs should be limited in their availability within each electric distribution utility's service territory. In developing such alternative tariffs and any limitations in their availability, the commission shall consider: the costs and benefits of customer-generator facilities; an avoidance of unjust and unreasonable cost shifting; rate effects on all customers; alternative rate structures, including time based tariffs pursuant to paragraph VIII; whether there should be a limitation, on the amount of generating capacity eligible for such tariffs; the size of facilities eligible to receive net metering tariffs: timely recovery of lost revenue by the utility using an automatic rate adjustment mechanism; and electric distribution utilities' administrative processes required to implement such tariffs and related regulatory mechanisms. The commission may waive or modify specific size limits and terms and conditions of service for net metering specified in paragraphs I, III, IV, V, and VI that it finds to be just and reasonable in the adoption of alternative tariffs for customer-generators. The commission may approve time and/or size limited pilots of alternative tariffs.

XVII. The commission shall issue an order initially approving or adopting such alternative tariffs, which may be subject to change or adjustment from time to time, within 10 months of the effective date of this paragraph.

XVIII. If any utility reaches any cap for net metering under paragraph I before alternative tariffs are approved or adopted pursuant to paragraph XVII, eligible customer-generators may continue to interconnect under temporary net metering tariffs under the same terms and conditions as net metering under the 100 megawatt cap, except that such customer-generators shall transition to alternative tariffs once they are approved or adopted for their utility pursuant to paragraph XVII. Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1133, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. INEXPEDIENT TO LEGISLATE.

Rep. Michael Vose for Science, Technology and Energy. This bill seeks to limit the amount of money utilities can require for a security deposit. Utilities typically require a security deposit for new customers and for customers who have fallen behind in paying their bill. Under current Public Utilities Commission rules, utilities can require an amount equal to the two of the three highest bills incurred during the previous 12 months. For venues that heat with electricity, that can amount to as much as \$1,600 to \$1,800. This bill would cap that deposit amount at \$250. While this bill would potentially help some consumers, it would decrease utility revenues for delinquent accounts and those costs would be passed along to other ratepayers. In addition, decreasing a ratepayer's exposure to just \$250 might encourage an increase in account defaults. Vote 17-3. Committee report adopted.

HB 1140, relative to financial responsibility for gas transmission pipelines. MAJORITY: INEX-PEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill would require owners of gas transmission pipelines to procure and maintain insurance against any loss resulting from failure or malfunction, and must be maintained in cases of abandonment. It also requires annual proof of adequate insurance to the Public Utilities Commission (PUC). While the intent is wellplaced and the need for property owner protection is understood, testimony revealed that the newly adopted Site Evaluation Committee (SEC) rules do consider insurance and decommissioning plans as part of the certification process. Testimony also revealed that some pipeline companies currently self-insure in amounts well positioned to meet the concerns, while others already carry third party insurance. The committee felt the bill is unnecessary and would put an undue burden on the SEC and the PUC. Additionally, there was some concern that since interstate pipelines fall under the final authority of the Federal Energy Regulatory Commission, such state directives could be preempted. For these reasons, the committee is not able to support the bill. Vote 15-6.

Rep. Marjorie Shepardson for the Minority of Science, Technology and Energy. The minority believes the owners of gas transmission pipelines should have to annually provide proof of insurance to the Public Utilities Commission.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Vadney spoke in favor.

Rep. McConnell spoke against and requested a roll call; sufficiently seconded.

YEAS 239 NAYS 96

YEAS - 239

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Russell, David	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	CA	RROLL	
Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	
	СН	ESHIRE	
Berch, Paul	Bordenet, John	Eaton, Daniel	Johnsen, Gladys
Mann, John	Sad, Tara	Tatro, Bruce	
	(coos	
Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Thoil, John
Thomas, Yvonne			
	GR	AFTON	
Brown, Duane	Cooney, Mary	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Shackett, Jeffrey	Sykes, George	Townsend, Charles	
	HILLS	BOROUGH	

Ammon, Keith Barry, Richard Brown, Pamela	Backus, Robert Belanger, James Burt, John	Balcom, John Biggie, Barbara Christiansen, Lars	Baroody, Benjamin Boehm, Ralph Christie, Rick
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Edwards, Elizabeth	Ferreira, Elizabeth Gonzalez, Carlos
Freitas, Mary	Gagne, Larry	Goley, Jeffrey Guerette, C. Lee	Haefner, Robert
Gorman, Mary	Gould, Linda	Guerelle, C. Lee	riacines, modern

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Halstead, Carolyn Hogan, Edith LeBrun, Donald Moore, Josh Ober, Lynne Pellegrino, Anthony Rosenwald, Cindy Shattuck, Gilman Sullivan, Daniel Wolf, Terry

Hansberry, Daniel Hopper, Gary Leishman, Peter Murotake, David Ober, Russell Peterson, Ken Rouillard, Claire Shaw, Barbara Sullivan, Victoria

Hansen, Peter Kurk, Neal Marston, Dick Murphy, Keith Palmer, Barry Pierce, David Rowe, Robert Simmons, Tammy Twombly, Timothy

Herbert, Christopher Lachance, Joseph McLean, Mark O'Brien, Michael Parison, James Porter, Marjorie Seidel, Carl Soucy, Timothy Walsh, Robert

MERRIMACK

Alicea, Caroletta Frazer, June Henle, Paul Horn, Werner Kotowski, Frank MacKay, James Moffett, Howard Rogers, Katherine Turcotte, Alan Bradley, Paula French, Barbara Hess, David Karrick, David Kuch, Bill Marple, Richard Myler, Mel Saunderson, George Walsh, Thomas Carson, Clyde French, Harold Hill, Gregory Kenison, Linda Long, Douglas McGuire, Carol Ratzki, Mario Seaworth, Brian

Doherty, David Gile, Mary Hoell, J.R. Kidder, David Luneau, David McGuire, Dan Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Bush, Carol
Christie, Andrew
Duarte, Joe
Gannon, William
Heffron, Frank
Kappler, Lawrence
Major, Norman
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Weyler, Kenneth

Azarian, Gary
Cali-Pitts, Jacqueline
Cook, Allen
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Pantelakos, Laura
Rice, Frederick
Tilton, Rio
Ward, Joanne

Barnes, Arthur
Cardon, G. Thomas
DeSimone, Debra
Francese, Paula
Griffin, Mary
Introne, Robert
Kolodziej, Walter
McKinney, Betsy
O'Connor, John
Peckham, Michele
Schroadter, Adam
True, Chris
Webb, James

Bates, David Chase, Francis Devine, James Friel, William Harris, Jeffrey Itse, Daniel Lovejoy, Patricia McMahon, Charles Osborne, Jason Potucek, John Spillane, James Tucker, Pamela Welch, David

STRAFFORD

Baber, William Cheney, Catherine Groen, Warren Kaen, Naida Rollo, Deanna Sprague, Dale Ward, Kenneth

Beaudoin, Steven DeLemus, Susan Hannon, Joseph Leeman, Don Schmidt, Peter Treleaven, Susan Wuelper, Kurt

Bickford, David DiSesa, Len Jones, Laura Mullen, John Smith, Marjorie Turcotte, Leonard Burton, Wayne Gray, James Kaczynski, Jr., Thomas Pitre, Joseph Southworth, Thomas Wall, Janet

SULLIVAN

Cloutier, John Rollins, Skip Grenier, James Smith, Steven Irwin, Virginia

Laware, Thomas

NAYS - 96 BELKNAP

Spanos, Peter

CARROLL

Buco, Thomas Ticehurst, Susan

Wright, Ted

CHESHIRE

Abbott, Michael Ames, Richard Chase, Cynthia Hunt, John
Ley, Douglas McConnell, James Pearson, William Roberts, Kris
Robertson, Timothy Shepardson, Marjorie Sterling, Franklin Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea

GRAFTON

Abel, Richard Almy, Susan Darrow, Stephen Higgins, Patricia Smith, Suzanne White, Andrew

HILLSBOROUGH

Christensen, Chris Byron, Frank Beaulieu, Jane Adams, Christopher Estevez, Eric Edelblut, Frank Eastman, Eric Coffey, James Griffin, Barbara Harvey, Suzanne Gidge, Kenneth Flanagan, Jack Long, Patrick Jack, Martin Hinch, Richard Heath, Mary McNamara, Richard McCarthy, Peggy Manley, Jonathan Mangipudi, Latha Rice, Kimberly Prouix, Mark Ohm. Bill Notter, Jeanine Smith, Gregory Schleien, Eric Sanborn, Laurie Roberts, Carol Ulery, Jordan Takesian, Charlene Snow, Kendall Smith, Timothy Williams, Kermit Vann, Ivy

MERRIMACK

Bartlett, Christy Brewster, Michael Deloge, Helen Ebel, Karen Hirsch, Geoffrey Martin, John Parent, Jason Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Borden, David Berrien, Skip Baldasaro, Alfred Abramson, Max Cushing, Robert Dean-Bailey, Yvonne Chirichiello, Brian Cahill, Michael Hodgdon, Bruce Gordon, Pamela DiFranco, Debbie Ferrante, Beverly Tamburello, Daniel Sweeney, Joe Simpson, Alexis McBeath, Rebecca Thomas, Douglas Ward, Gerald

STRAFFORD

Berube, Roger Bixby, Peter Graham, Robert Horrigan, Timothy Spang, Judith Stevens, Audrey

SULLIVAN

Converse, Larry Gagnon, Raymond Gottling, Suzanne Oxenham, Lee

Schmidt, Andrew

and the majority committee report was adopted.

HB 1146, relative to certificates of site and facility. INEXPEDIENT TO LEGISLATE.

Rep. Herbert Richardson for Science, Technology and Energy. This bill, by changing "may" to "shall," attempts to ensure that a certificate issued by the Site Evaluation Committee (SEC) includes terms and conditions, such as bonding, and provisions for monitoring as the SEC deems necessary. The SEC has recently adopted rules that address these issues and so the committee feels this bill is unnecessary. Vote 15-5.

Committee report adopted.

HB 1148, relative to pipeline capacity contracts. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. The Public Utilities Commission (PUC) has broad powers to evaluate all manner of energy issues including needs for future capacities for fuel transportation via pipelines. The committee believes that nothing is gained by specifying a long list of specifics which, in effect, would be telling the PUC how to do its job. Current law (RSAs 374:1, 374:2 and 378:7) already requires the PUC to review pipeline capacity contracts for prudence and to determine whether the terms of such an agreement are reasonable. Vote 11-10.

Luneau, David

McGuire, Dan

Seaworth, Brian

Rep. Howard Moffett for the Minority of Science, Technology and Energy. The minority believes this bill raises an important concern that deserves far more attention than it has received: why should New Hampshire electric ratepayers be asked to pay for long-term capacity contracts on gas pipelines? Even those of us who feel that New England needs new interstate gas pipeline capacity, to reduce high winter wholesale and retail electric rates and price volatility, question whether retail electric ratepayers should be asked to guarantee payment on 20 year gas capacity contracts like default service ratepayers were asked to do for the mercury scrubber installation at Merrimack Station.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Moffett and McConnell spoke against.

Rep. Vadney spoke in favor.

Rep. Baber yielded to questions.

Rep. McConnell requested a roll call; sufficiently seconded.

MacKay, James

Parent, Jason

Turcotte, Alan

YEAS 163 NAYS 169

YEAS - 163

	E	BELKNAP	
Aldrich, Glen Gallagher, Brian Vadney, Herbert	Dumais, Russell Hurt, George	Fields, Dennis Russell, David	Flanders, Donald Tilton, Franklin
	C	ARROLL	
Chandler, Gene Nelson, Bill	Cordelli, Glenn Parker, Harold	McCarthy, Frank Schmidt, Stephen	McConkey, Mark Umberger, Karen
	C	HESHIRE	
Berch, Paul Robertson, Timothy	Bordenet, John Sad, Tara	Eaton, Daniel	Mann, John
		COOS	
Fothergill, John Thomas, Yvonne	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert
	G	RAFTON	
Almy, Susan Shackett, Jeffrey	Gionet, Edmond Sykes, George	Maes, Kevin	Piper, Wendy
	HILL	SBOROUGH	
Ammon, Keith Biggie, Barbara Christiansen, Lars Donovan, Daniel Gonzalez, Carlos Halstead, Carolyn Infantine, William Marston, Dick Ober, Russell Proulx, Mark Simmons, Tammy Wolf, Terry	Backus, Robert Boehm, Ralph Christie, Rick Gagne, Larry Gorman, Mary Heath, Mary Lachance, Joseph Moore, Josh Ohm, Bill Rowe, Robert Smith, Timothy	Balcom, John Brown, Pamela Cohen, Alan Gidge, Kenneth Guerette, C. Lee Herbert, Christopher LeBrun, Donald Murotake, David Peterson, Ken Seidel, Carl Ulery, Jordan	Belanger, James Burt, John Cote, David Goley, Jeffrey Haefner, Robert Hopper, Gary Leishman, Peter Ober, Lynne Pierce, David Shattuck, Gilman Walsh, Robert
	ME	RRIMACK	
Bradley, Paula French, Harold Kidder, David	Deloge, Helen Hess, David Kotowski, Frank	Frazer, June Horn, Werner Kuch, Bill	French, Barbara Kenison, Linda Long, Douglas

Marple, Richard

Walsh, Thomas

Rice, Chip

McGuire, Carol

Rogers, Katherine

Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Cardon, G. Thomas Devine, James Griffin, Mary Introne, Robert Major, Norman Nigrello, Robert Peckham, Michele Spillane, James True, Chris Ward, Joanne Azarian, Gary Chase, Francis Doucette, Fred Harris, Jeffrey Katsakiores, Phyllis Matthews, Carolyn O'Connor, John Potucek, John Sytek, John Tucker, Pamela Webb, James Bush, Carol
Dean-Bailey, Yvonne
Emerick, J. Tracy
Heffron, Frank
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Rice, Frederick
Thomas, Douglas
Vose, Michael
Weyler, Kenneth

Cali-Pitts, Jacqueline DeSimone, Debra Friel, William Hoelzel, Kathleen Lovejoy, Patricia Milz, David Pantelakos, Laura Schroadter, Adam Tilton, Rio Ward, Gerald

STRAFFORD

Bickford, David Gray, James Leeman, Don Treleaven, Susan Burton, Wayne Hannon, Joseph Mullen, John Turcotte, Leonard Cheney, Catherine Jones, Laura Smith, Marjorie DiSesa, Len Kaen, Naida Spang, Judith

SULLIVAN

Laware, Thomas

Schmidt, Andrew

Smith, Steven

NAYS - 169 BELKNAP

Fraser, Valerie Sylvia, Michael Howard, Jr., Raymond

LeBreche, Shari

Spanos, Peter

CARROLL

Avellani, Lino Ticehurst, Susan Buco, Thomas Wright, Ted Butler, Edward

Comeau, Ed

CHESHIRE

Abbott, Michael Johnsen, Gladys Roberts, Kris Tilton, Benjamin Ames, Richard Ley, Douglas Shepardson, Marjorie Weber, Lucy Chase, Cynthia McConnell, James Sterling, Franklin

Hunt, John Pearson, William Tatro, Bruce

COOS

Froburg, Alethea Tholl, John Hatch, William

Moynihan, Wayne

Rideout, Leon

GRAFTON

Abel, Richard Darrow, Stephen Hull, Robert Smith, Suzanne Bailey, Brad Hennessey, Erin Johnson, Eric Townsend, Charles Brown, Duane Hennessey, Martha Ladd, Rick White, Andrew Cooney, Mary Higgins, Patricia Massimilla, Linda

HILLSBOROUGH

Adams, Christopher Byron, Frank DiSilvestro, Linda Estevez, Eric Gould, Linda Harvey, Suzanne Kurk, Neal McCarthy, Peggy Notter, Jeanine Pellegrino, Anthony Baroody, Benjamin Christensen, Chris Eastman, Eric Ferreira, Elizabeth Griffin, Barbara Hinch, Richard Long, Patrick McLean, Mark O'Brien, Michael Porter, Mariorie Barry, Richard Coffey, James Edelblut, Frank Flanagan, Jack Hansberry, Daniel Hogan, Edith Mangipudi, Latha McNamara, Richard Palmer, Barry Rice, Kimberly Beaulieu, Jane Cornell, Patricia Edwards, Elizabeth Freitas, Mary Hansen, Peter Jack, Martin Manley, Jonathan Murphy, Keith Parison, James Roberts, Carol

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Rosenwald, Cindy	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	
Shaw, Barbara	Smith, Gregory	Snow, Kendall	Soucy, Timothy	
Sullivan, Daniel	Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy	
Vann, Ivy	Williams, Kermit	randolari, Orlandic	r wombly, filliothy	
	ME	DDIMACE		
Alicea, Caroletta		CRRIMACK		
Doherty, David	Bartlett, Christy Ebel, Karen	Brewster, Michael	Carson, Clyde	
Hill, Gregory	Hirsch, Geoffrey	Gile, Mary	Henle, Paul	
Moffett, Howard	Myler, Mel	Hoell, J.R.	Karrick, David	
Schuett, Dianne	Shurtleff, Stephen	Ratzki, Mario	Saunderson, George	
	Ondition, Otophen			
		CKINGHAM		
Abramson, Max	Baldasaro, Alfred	Bates, David	Berrien, Skip	
Borden, David	Cahill, Michael	Christie, Andrew	Cook, Allen	
Cushing, Robert	DiFranco, Debbie	Duarte, Joe	Ferrante, Beverly	
Francese, Paula	Gannon, William	Gordon, Pamela	Green, Dennis	
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	McBeath, Rebecca	
McMahon, Charles	Osborne, Jason	Prudhomme-O'Brien, Kai	therine Simpson, Alexis	
Sweeney, Joe	Tamburello, Daniel	Welch, David		
	ST	RAFFORD		
Baber, William	Beaudoin, Steven	Berube, Roger	Bixby, Peter	
DeLemus, Susan	Graham, Robert	Groen, Warren	Horrigan, Timothy	
Kaczynski, Jr., Thomas	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter	
Southworth, Thomas	Sprague, Dale	Stevens, Audrey	Wall, Janet	
Wuelper, Kurt			Train, buriot	
		JLLIVAN		
Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne	
Grenier, James	Irwin, Virginia	Oxenham, Lee	Rollins, Skip	
and the majority con	nmittee report failed.			
Rep. Eastman reques	ved the minority commit sted a roll call; sufficient	tee report of Ought to P ly seconded.	ass.	
	YEAS 2	08 NAYS 124		
	YI	EAS - 208		
		ELKNAP		
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	
Russell, David	Spanos, Peter	Sylvia, Michael	Eddicate, Chan	
	CA	ARROLL		
Avellani, Lino	Buco, Thomas	Butler, Edward	Company Ed	
McConkey, Mark	Nelson, Bill	_ '	Comeau, Ed	
Wright, Ted	Neison, Dill	Parker, Harold	Ticehurst, Susan	
	O	TECHIDE		
Abbatt Mick!		ESHIRE		
Abbott, Michael	Ames, Richard	Chase, Cynthia	Hunt, John	
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, James	
Pearson, William	Roberts, Kris	Shepardson, Marjorie	Sterling, Franklin	

COOS

Froburg, Alethea Hatch, William Tholl, John Thomas, Yvonne

Tilton, Benjamin

Tatro, Bruce

Moynihan, Wayne

Weber, Lucy

Rideout, Leon

GRAFTON

Abel. Richard Darrow, Stephen Hull, Robert Smith, Suzanne

Almy, Susan Hennessey, Erin Johnson, Eric Townsend, Charles Brown, Duane Hennessey, Martha Ladd, Rick White, Andrew

Cooney, Mary Higgins, Patricia Massimilla, Linda

HILLSBOROUGH

Adams, Christopher Barry, Richard Byron, Frank Coffey, James Eastman, Eric Ferreira, Elizabeth Griffin, Barbara Heath, Mary Kurk, Neal Manley, Jonathan Murotake, David Ober, Lynne Porter, Marjorie Rouillard, Claire Shaw, Barbara Snow, Kendall Takesian, Charlene

Backus, Robert Beaulieu, Jane Christensen, Chris Cohen, Alan Edelblut, Frank Flanagan, Jack Guerette, C. Lee Hinch, Richard Leishman, Peter McCarthy, Peggy Murphy, Keith Palmer, Barry Rice, Kimberly Sanborn, Laurie Simmons, Tammy Soucy, Timothy Twombly, Timothy Williams, Kermit

Balcom, John Belanger, James Christiansen, Lars Cornell, Patricia Edwards, Elizabeth Freitas, Mary Hansberry, Daniel Hogan, Edith Long, Patrick McLean, Mark Notter, Jeanine Parison, James Roberts, Carol Schleien, Eric Smith, Gregory Sullivan, Daniel Ulery, Jordan

Baroody, Benjamin Boehm, Ralph Christie, Rick DiSilvestro, Linda Estevez, Eric Gould, Linda Harvey, Suzanne Jack, Martin Mangipudi, Latha McNamara, Richard O'Brien, Michael Pellegrino, Anthony Rosenwald, Cindy Shattuck, Gilman Smith, Timothy Sullivan, Victoria Vann, Ivy

MERRIMACK

ROCKINGHAM

Alicea, Caroletta Carson, Clyde French, Barbara Hirsch, Geoffrey Myler, Mel Schuett, Dianne

Walsh, Robert

Bartlett, Christy Deloge, Helen Gile, Mary Hoell, J.R. Parent, Jason Seaworth, Brian

Baldasaro, Alfred

Cahill, Michael

Cushing, Robert

Green, Dennis

Ferrante, Beverly

Lovejoy, Patricia

Osborne, Jason

Spillane, James

Ward, Gerald

Bradley, Paula Doherty, David Henle, Paul Karrick, David Ratzki, Mario Shurtleff, Stephen

Bates, David

Cali-Pitts, Jacqueline

Dean-Bailey, Yvonne

Francese, Paula

Hodgdon, Bruce

Sweeney, Joe

Welch, David

Matthews, Carolyn

Packard, Sherman

Brewster, Michael Ebel, Karen Hill, Gregory Moffett, Howard Saunderson, George Wheeler, Deborah

Borden, David Cook, Allen Duarte, Joe Gordon, Pamela

Abramson, Max

Kappler, Lawrence McMahon, Charles Simpson, Alexis Tucker, Pamela

> Beaudoin, Steven DeLemus, Susan Kaczynski, Jr., Thomas

Berube, Roger Graham, Robert Pitre, Joseph Sprague, Dale

Berrien, Skip Christie, Andrew DiFranco, Debbie Gannon, William Itse, Daniel McBeath, Rebecca Prudhomme-O'Brien, Katherine Tamburello, Daniel

STRAFFORD

Baber, William Cheney, Catherine Horrigan, Timothy Schmidt, Peter Wall, Janet

Southworth, Thomas Wuelper, Kurt

Bixby, Peter Groen, Warren Rollo, Deanna Stevens, Audrey

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Irwin, Virginia

Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

Ward, Joanne

NAYS - 124

	J	BELKNAP	
Aldrich, Glen Gallagher, Brian	Dumais, Russell Tilton, Franklin	Fields, Dennis Vadney, Herbert	Flanders, Donald
		CARROLL	
Chandler, Gene Umberger, Karen	Cordelli, Glenn	McCarthy, Frank	Schmidt, Stephen
	C	HESHIRE	
Berch, Paul Sad, Tara	Bordenet, John	Eaton, Daniel	Robertson, Timothy
		coos	
Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert
_	G	RAFTON	
Bailey, Brad Shackett, Jeffrey	Gionet, Edmond Sykes, George	Maes, Kevin	Piper, Wendy
	HILL	SBOROUGH	
Ammon, Keith Cote, David Goley, Jeffrey Halstead, Carolyn Infantine, William Moore, Josh Pierce, David Wolf, Terry Frazer, June Kenison, Linda Long, Douglas McGuire, Carol Turcotte, Alan	Biggie, Barbara Donovan, Daniel Gonzalez, Carlos Hansen, Peter Lachance, Joseph Ober, Russell Proulx, Mark	Brown, Pamela Gagne, Larry Gorman, Mary Herbert, Christopher LeBrun, Donald Ohm, Bill Rowe, Robert RRIMACK Hess, David Kotowski, Frank MacKay, James Rice, Chip	Burt, John Gidge, Kenneth Haefner, Robert Hopper, Gary Marston, Dick Peterson, Ken Seidel, Carl Horn, Werner Kuch, Bill Marple, Richard Rogers, Katherine
4		KINGHAM	
Abrami, Patrick Chase, Francis Emerick, J. Tracy Heffron, Frank Kolodziej, Walter Nigrello, Robert Potucek, John	Azarian, Gary DeSimone, Debra Friel, William Hoelzel, Kathleen Major, Norman O'Connor, John Rice, Frederick	Bush, Carol Devine, James Griffin, Mary Introne, Robert McKinney, Betsy Pantelakos, Laura Schroadter, Adam	Cardon, G. Thomas Doucette, Fred Harris, Jeffrey Katsakiores, Phyllis Milz, David Peckham, Michele Sytek, John
Thomas, Douglas	Tilton, Rio	True, Chris	Vose, Michael

STRAFFORD

Weyler, Kenneth

Bickford, David	Burton, Wayne	DiSesa, Len	Gray, James
Hannon, Joseph Mullen, John	Jones, Laura Smith, Mariorie	Kaen, Naida	Leeman, Don
Turcotte Leonard	Cinal, marjone	Spang, Judith	Treleaven, Susan

SULLIVAN

Laware, momas	Smith, Steven	
and the minority	committee report was a	adopted and ordered to third reading

Webb, James

HB 1174, relative to energy sources for new natural gas transmission compressor stations. INEXPEDIENT TO LEGISLATE.

Rep. Michael Vose for Science, Technology and Energy. This bill would require that natural gas compressor stations use another source of power rather than the gas in the pipeline itself. Using pipeline gas to power a 41,000 horsepower compressor creates noise and poses the risk of air emissions in the area around the compressor station. Periodic gas releases, called blowdowns, are necessary to perform compressor maintenance and risk further contamination around the station. However, the Department of Environmental Services testified that a preliminary application for a gas compressor in Temple showed emission levels would be low. A pipeline engineer testified that using electricity rather than gas to power the compressor would require the construction of an 11-mile power distribution line from a substation in Rindge. This engineer further testified that geography and pipeline fluid dynamics require siting the pipeline in the Temple/New Ipswich area. Ultimately, the bill's negatives outweighed the positives, leading to the committee's disapproval of the bill. Vote 14-7. Rep. Vose spoke in favor.

Rep. Williams spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 198 NAYS 132

YEAS - 198 BELKNAP

Aldrich, Glen Gallagher, Brian Spanos, Peter	Dumais, Russell Howard, Jr., Raymond Sylvia, Michael	Fields, Dennis Hurt, George Tilton, Franklin	Flanders, Donald Russell, David Vadney, Herbert
	CA	ARROLL	
Avellani, Lino McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	CH	HESHIRE	
Berch, Paul Sad, Tara	Bordenet, John Weber, Lucy	Eaton, Daniel	Roberts, Kris
		COOS	
Fothergill, John Rappaport, Laurence	Froburg, Alethea Richardson, Herbert	Hatch, William Rideout, Leon	Moynihan, Wayne Thomas, Yvonne
	G	RAFTON	
Almy, Susan Hennessey, Martha Piper, Wendy	Bailey, Brad Hull, Robert Shackett, Jeffrey	Gionet, Edmond Ingbretson, Paul Townsend, Charles	Hennessey, Erin Ladd, Rick
	HILL	SBOROUGH	
Ammon Kaith	Backus Bohert	Balcom John	Barry, Richard

HILLSBOROUGH			
Backus, Robert	Balcom, John	Barry, Richard	
Biggie, Barbara	Boehm, Ralph	Brown, Pamela	
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	
Gagne, Larry	Goley, Jeffrey	Gonzalez, Carlos	
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	
Harvey, Suzanne	Herbert, Christopher	Hogan, Edith	
Lachance, Joseph	LeBrun, Donald	Long, Patrick	
Moore, Josh	Murotake, David	Murphy, Keith	
Ober, Lynne	Ober, Russell	Ohm, Bill	
Peterson, Ken	Pierce, David	Rosenwald, Cindy	
Sanborn, Laurie	Shattuck, Gilman	Shaw, Barbara	
Walsh, Robert	Wolf, Terry		
	Backus, Robert Biggie, Barbara Christiansen, Lars Gagne, Larry Guerette, C. Lee Harvey, Suzanne Lachance, Joseph Moore, Josh Ober, Lynne Peterson, Ken Sanborn, Laurie	Backus, Robert Biggie, Barbara Christiansen, Lars Gagne, Larry Guerette, C. Lee Harvey, Suzanne Lachance, Joseph Moore, Josh Ober, Lynne Peterson, Ken Sanborn, Laurie Balcom, John Boehm, Ralph Cohen, Ralph Lehen, Robert Haefner, Robert LeBrun, Donald Murotake, David Ober, Russell Pierce, David Shattuck, Gilman	

MERRIMACK

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kidder, David
MacKay, James
Moffett, Howard
Shurtleff, Stephen
French, Barbara
Hess, David
Kotowski, Frank
Marple, Richard
Parent, Jason
Walsh, Thomas

Brewster, Michael Deloge, Helen
French, Harold Gile, Mary
Hill, Gregory Hoell, J.R.
Kuch, Bill Long, Douglas
McGuire, Carol McGuire, Dan
Rice, Chip Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Bates, David Cook, Allen Doucette, Fred Gannon, William Heffron, Frank Itse, Daniel Lovejoy, Patricia McMahon, Charles Packard, Sherman Spillane, James Tilton, Rio Ward, Joanne Azarian, Gary
Bush, Carol
Dean-Bailey, Yvonne
Duarte, Joe
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Milz, David
Peckham, Michele
Sytek, John
True, Chris
Webb, James

Baldasaro, Alfred Cardon, G. Thomas DeSimone, Debra Emerick, J. Tracy Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Potucek, John Tamburello, Daniel Tucker, Pamela Welch, David Bames, Arthur Christie, Andrew Devine, James Friel, William Harris, Jeffrey Introne, Robert Kolodziej, Walter McKinney, Betsy O'Connor, John Rice, Frederick Thomas, Douglas Vose, Michael Weyler, Kenneth

STRAFFORD

Baber, William Cheney, Catherine Groen, Warren Kaen, Naida Spang, Judith Wuelper, Kurt Beaudoin, Steven DeLemus, Susan Hannon, Joseph Leeman, Don Treleaven, Susan Bickford, David DiSesa, Len Jones, Laura Mullen, John Turcotte, Leonard Burton, Wayne Gray, James Kaczynski, Jr., Thomas Pitre, Joseph Wall, Janet

SULLIVAN

Gottling, Suzanne Smith, Steven Grenier, James

Laware, Thomas

Schmidt, Andrew

NAYS - 132 BELKNAP

Fraser, Valerie

LeBreche, Shari

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

Wright, Ted

CHESHIRE

Abbott, Michael Johnsen, Gladys Pearson, William Tatro, Bruce Ames, Richard Ley, Douglas Robertson, Timothy Tilton, Benjamin Chase, Cynthia Mann, John Shepardson, Marjorie

Hunt, John McConnell, James Sterling, Franklin

COOS

Theberge, Robert

GRAFTON

Abel, Richard Higgins, Patricia Smith, Suzanne Brown, Duane Johnson, Eric Sykes, George Cooney, Mary Maes, Kevin White, Andrew

Darrow, Stephen Massimilla, Linda

HILLSBOROUGH

Adams, Christopher Christensen, Chris DiSilvestro, Linda Edwards, Elizabeth Gidge, Kenneth Heath, Mary Mangipudi, Latha McNamara, Richard Proulx, Mark Seidel, Carl Schleien, Eric Snow, Kendall Sweeney, Shawn

Beaulieu, Jane Baroody, Benjamin Coffey, James Christie, Rick Eastman, Eric Donovan, Daniel Flanagan, Jack Estevez, Eric Gould, Linda Gorman, Mary Jack, Martin Hinch, Richard McCarthy, Peggy Manley, Jonathan Pellegring, Anthony Notter, Jeanine Roberts, Carol Rice, Kimberly Smith, Gregory Sullivan, Daniel Soucy, Timothy Twombly, Timothy Takesian, Charlene Williams, Kermit

Byron, Frank Cote, David Edelblut, Frank Freitas, Mary Hansberry, Daniel Leishman, Peter McLean, Mark Porter, Marjorie Rouillard, Claire Smith, Timothy Sullivan, Victoria Ulery, Jordan

MERRIMACK

Alicea, Caroletta Hirsch, Geoffrey Luneau, David Rogers, Katherine Wheeler, Deborah

Vann, Ivv

Carson, Clyde Hom. Werner Martin, John Saunderson, George Doherty, David Karrick, David Myler, Mel Schuett, Dianne

Frazer, June Kenison, Linda Ratzki, Mario Turcotte, Alan

ROCKINGHAM

Abramson, Max Cali-Pitts, Jacqueline Ferrante, Beverly Pantelakos, Laura Sweeney, Joe

Berrien, Skip Chase, Francis Francese, Paula

Borden, David Cushing, Robert Gordon, Pamela Prudhomme-O'Brien, Katherine Schroadter, Adam Cahill, Michael DiFranco, Debbie McBeath, Rebecca Simpson, Alexis

STRAFFORD

Berube, Roger Rollo, Deanna Stevens, Audrey Bixby, Peter Schmidt, Peter

Ward, Gerald

Graham, Robert Southworth, Thomas Horrigan, Timothy Sprague, Dale

SULLIVAN

Cloutier, John

Converse, Larry

Gagnon, Raymond

Irwin, Virginia

Rollins, Skip Oxenham, Lee and the committee report was adopted.

INTRODUCTION OF SPECIAL GUEST

Representative-elect Michael A. Edgar, guest of the House.

REGULAR CALENDAR CONT'D

HB 1320, relative to assignment or transfer of an operating permit issued by the department of environmental services. INEXPEDIENT TO LEGISLATE.

Rep. Herbert Vadney for Science, Technology and Energy. This bill was narrowly crafted to single out a particular parcel of land in a way that would unduly restrict the property rights of the landowner. The Department of Environmental Services testified that the permits that were given to the landowner and the function approved for that parcel remain and any new owner of the property could operate under that permit as long as the same conditions of trained operators, safety procedures, environmental constraints, and emissions monitoring were followed. Vote 14-5. Committee report adopted.

HB 1374, relative to rebates to ratepayers from the renewable energy fund. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. The bi-partisan majority of the committee felt that this bill, which essentially defunds the Renewable Energy Fund which is used to develop renewable energy, promote in-state jobs and diversify our sources of energy, will harm the rapidly growing renewable energy industry in the state. The committee heard extensive testimony against the bill, expressing that the bill was anti-business. Reports have shown that the Renewable Energy Fund investments in energy projects have totaled \$7 million and have generated \$30 million in private investment in our state. Vote 18-3.

Rep. Jeanine Notter for the Minority of Science, Technology and Energy. However small the rebate to ratepayers may have been, it would help some in lessening the redistribution in wealth that the minority opposes in principle. All of the little fees here and subsidies there add up to a sizable amount of money out-of-pocket. Chipping away at subsidies and fees is a way to reverse course.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Notter spoke against.

Rep. Shepardson spoke in favor.

Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 203 NAYS 127

YEAS - 203 TREAT TENTA NO

		BELKNAP	
Fields, Dennis Vadney, Herbert	Flanders, Donald	Gallagher, Brian	Russell, David
		CARROLL	
Buco, Thomas Parker, Harold	Butler, Edward Schmidt, Stephen	Chandler, Gene Ticehurst, Susan	McConkey, Mark Umberger, Karen
	(CHESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Shepardson, Marjorie Weber, Lucy	Ames, Richard Eaton, Daniel Pearson, William Sterling, Franklin	Berch, Paul Johnsen, Gladys Robertson, Timothy Tatro, Bruce	Bordenet, John Ley, Douglas Sad, Tara Tilton, Benjamin
		coos	
Fothergill, John Theberge, Robert	Froburg, Alethea Tholl, John	Moynihan, Wayne Thomas, Yvonne	Richardson, Herbert
	G	RAFTON	
Abel, Richard Ford, Susan Ladd, Rick Shackett, Jeffrey White, Andrew	Almy, Susan Hennessey, Erin Maes, Kevin Smith, Suzanne	Bailey, Brad Hennessey, Martha Massimilla, Linda Sykes, George	Cooney, Mary Higgins, Patricia Piper, Wendy Townsend, Charles

Backus, Robert Belanger, James Cote, David Flanagan, Jack Gorman, Mary Hansen, Peter Hinch, Richard Long, Patrick McCarthy, Peggy Peterson, Ken Roberts, Carol Shattuck, Gilman	Balcom, John Brown, Pamela DiSilvestro, Linda Freitas, Mary Guerette, C. Lee Harvey, Suzanne Jack, Martin Mangipudi, Latha McNamara, Richard Pierce, David Rosenwald, Cindy	Baroody, Benjamin Cohen, Alan Donovan, Daniel Gidge, Kenneth Haefner, Robert Heath, Mary LeBrun, Donald Manley, Jonathan O'Brien, Michael Porter, Marjorie Rowe, Robert Smith Timothy	Beaulieu, Jane Cornell, Patricia Edwards, Elizabeth Goley, Jeffrey Hansberry, Daniel Herbert, Christopher Leishman, Peter Marston, Dick Pellegrino, Anthony Proulx, Mark Seidel, Carl

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Ratzki, Mario Schuett, Dianne Wheeler, Deborah Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda MacKay, James Rice, Chip Shurtleff, Stephen Bradley, Paula Ebel, Karen Henle, Paul Kidder, David Moffett, Howard Rogers, Katherine Turcotte, Alan

Carson, Clyde Frazer, June Hess, David Long, Douglas Myler, Mel Saunderson, George Walsh. Thomas

ROCKINGHAM

Abrami, Patrick Cahill, Michael Christie, Andrew DiFranco, Debbie Gordon, Pamela Introne, Robert Major, Norman McMahon, Charles Packard, Sherman Sytek, John Azarian, Gary
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Griffin, Mary
Katsakiores, Phyllis
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Ward, Gerald

Berrien, Skip Cardon, G. Thomas DeSimone, Debra Francese, Paula Heffron, Frank Kolodziej, Walter McBeath, Rebecca Nigrello, Robert Peckham, Michele Webb, James Borden, David Chase, Francis Devine, James Friel, William Hoelzel, Kathleen Lovejoy, Patricia McKinney, Betsy O'Connor, John Simpson, Alexis Welch, David

STRAFFORD

SULLIVAN

Baber, William Burton, Wayne Kaen, Naida Spang, Judith Wall, Janet Berube, Roger DiSesa, Len Rollo, Deanna Sprague, Dale Bickford, David Gray, James Schmidt, Peter Stevens, Audrey

Bixby, Peter Horrigan, Timothy Southworth, Thomas Treleaven, Susan

Cloutier, John

Irwin, Virginia

Gagnon, Raymond Oxenham, Lee Gottling, Suzanne Schmidt, Andrew

Grenier, James Smith, Steven

NAYS - 127 BELKNAP

Aldrich, Glen Hurt, George Tilton, Franklin

Avellani, Lino

Neison, Bili

Dumais, Russell LeBreche, Shari Fraser, Valerie Spanos, Peter Howard, Jr., Raymond Sylvia, Michael

u Ed

Comeau, Ed Wright, Ted CARROLL
Cordelli, Glenn

McCarthy, Frank

Hunt, John McConnell, James

coos

CHESHIRE

Rappaport, Laurence

Rideout, Leon

GRAFTON

Brown, Duane Ingbretson, Paul Darrow, Stephen Johnson, Eric Gionet, Edmond

Hull, Robert

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Christensen, Chris Eastman, Eric Gagne, Larry Halstead, Carolyn McLean, Mark Ammon, Keith Bouldin, Amanda Christiansen, Lars Edelblut, Frank Gonzalez, Carlos Hogan, Edith Moore, Josh Barry, Richard
Burt, John
Christie, Rick
Estevez, Eric
Gould, Linda
Hopper, Gary
Murotake, David

Biggie, Barbara Byron, Frank Coffey, James Ferreira, Elizabeth Griffin, Barbara Lachance, Joseph Murphy, Keith

Notter, Jeanine Rice, Kimberly Simmons, Tammy Twombly, Timothy	Ober, Russell Rouillard, Claire Smith, Gregory Ulery, Jordan	Ohm, Bill Sanborn, Laurie Sullivan, Victoria	Parison, James Schleien, Eric Sweeney, Shawn
	M	IERRIMACK	
Brewster, Michael Horn, Werner Marple, Richard Parent, Jason	French, Harold Karrick, David Martin, John Seaworth, Brian	Hill, Gregory Kotowski, Frank McGuire, Carol	Hoell, J.R. Kuch, Bill McGuire, Dan
	RC	OCKINGHAM	
Abramson, Max Bush, Carol Duarte, Joe Green, Dennis Kappler, Lawrence Schroadter, Adam Tilton, Rio Ward, Joanne	Baldasaro, Alfred Chirichiello, Brian Emerick, J. Tracy Harris, Jeffrey Potucek, John Spillane, James True, Chris Weyler, Kenneth	Barnes, Arthur Cook, Allen Ferrante, Beverly Hodgdon, Bruce Prudhomme-O'Brien, Katherine Tamburello, Daniel Tucker, Pamela	Bates, David Dean-Bailey, Yvonne Gannon, William Itse, Daniel Rice, Frederick Thomas, Douglas Vose, Michael
	S	TRAFFORD	
Beaudoin, Steven Groen, Warren Leeman, Don Wuelper, Kurt	Cheney, Catherine Hannon, Joseph Mullen, John	DeLemus, Susan Jones, Laura Pitre, Joseph	Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

SULLIVAN

Converse, Larry Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 1470-FN, permitting additional site evaluation committee membership from towns or cities affected by an application. INEXPEDIENT TO LEGISLATE.

Rep. Glen Aldrich for Science, Technology and Energy. This bill would add an indeterminate and varying number of new members to the Site Evaluation Committee depending on how many municipalities a proposed project passes through. However, estimates projected as many as fifty or more could qualify for membership, thereby making it difficult to get things done. Two years ago we reduced the number on the committee from fourteen to nine, partly because it was unwieldy at the larger number. Also, since the additional members would qualify for mileage reimbursement for multiple meetings, they would add cost to the operations of the committee. For these and other reasons the committee felt this bill unnecessary. Vote 18-1.

HB 1479, establishing a broadband study committee. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill would establish a broadband study committee. Though there is a need for better access to broadband, particularly in rural areas, this is not new news and studies have already been done on the same issue. The Telecommunications Planning and Development Advisory Committee, with input from the Information Technology Council, has produced a report with some 37 recommendations. These committees should be allowed to progress with their study and possible implementation of recommendations. The majority felt that establishing another study to study the report would not produce anything new. To avoid "beating a dead horse," the committee opposes passage of this bill. Vote 13-8. Rep. Charles Townsend for the Minority of Science, Technology and Energy. Legislation is needed to move ahead on the 37 specific recommendations in the report, Broadband 2015: The Connection to New Hampshire's Future. This 84-page report was the result of years of work by

the NH Geographically Referenced Analysis and Information Transfer System (GRANIT), UNH Earth Systems Research Center, the Office of Energy and Planning, the Department of Economic Development, UNH Cooperative Extension, regional planning commissions, and other partners.

The report, released in the fall of 2015, documents the opportunities that broadband provides to small businesses, public safety, health care, and education. It also documents areas in which broadband availability is limited and the work that remains to be done to bring broadband to all areas in our state. A broadband committee will be able to study the recommendations, interview the report contributors, and determine legislation that will be successful in enacting the recommendations of this important report.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Ratzki spoke against.

Rep. Douglas Thomas spoke in favor.

On a division vote, with 184 members having voted in the affirmative, and 128 in the negative, the majority committee report was adopted.

HB 1659, relative to the implementation of the clean power state implementation plan. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jeanine Notter for the Majority of Science, Technology and Energy. This bill would have prohibited the Department of Environmental Services (DES) from spending money to develop a plan to implement the US Environmental Protection Agency's (EPA) Clean Power Plan (CPP) until the courts ruled on its legality. The bill's sponsor argued that it also provided a way for the state to protest the continued unchecked rise of the administrative state and its mandate to create rules that seriously impact our citizens without the accountability of the ballot box. DES testified that the bill could possibly affect its ability to accept and expend federal grant dollars. With the state already in compliance with the CPP's emission caps due to participation in the Regional Greenhouse Gas Initiative (RGGI) program, coupled with the US Supreme Court's early February stay of the CPP, the committee felt the bill was not necessary at this time. Vote 20-1.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This proposed legislation directed the state to delay action on a state implementation strategy to comply with the EPA's Clean Power Plan (CPP) until the rule's constitutionality was established. Many legal scholars had predicted that the EPA had exceeded the legislative authority granted by the federal Clean Air Act. In early February, the US Supreme Court halted the implementation of the CPP pending the resolution of legal challenges, making this bill less urgent. The EPA, meanwhile, stated that states could "voluntarily" develop their own compliance plans.

Majority committee report adopted.

HB 1691-FN, making certain changes to the renewable portfolio standard. MAJORITY: INEXPE-DIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill seeks to revise the Renewable Portfolio Standard (RPS), ostensibly to reduce ratepayer cost. However, the majority of the committee determined that the bill had serious unintended consequences and could raise rates. The RPS is the cornerstone of New Hampshire's clean energy policy, providing a strong market signal that New Hampshire is receptive to and encourages electric and thermal energy development. Among the serious issues in the bill was the fact the bill actually repealed the RPS in 2020. In addition, the committee learned through testimony, which was later documented and supported by the Public Utilities Commission, that the bill could significantly increase ratepayer costs by the changes suggested in the thermal requirements of the law. Finally, we heard from an overwhelming number of stakeholders that the bill was flawed as it would subsidize out-of-state renewable facilities and would send the wrong signal to investors and the markets. The RPS is working to achieve its goals, including job creation and retention, and helps to position New Hampshire as a leader in clean energy development. Efforts to terminate or weaken the program send the wrong message to the industry. The majority believes the RPS functions as it was originally intended, helping New Hampshire reduce its dependence on imported fossil energy over which we have no control, keeping energy dollars in-state, and moving our economy towards more sustainable, local, and cleaner sources for electricity and heat. Vote 13-8. Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill, as amended, sought to lower electricity costs in our state by making some small adjustments to the Renewal Portfolio Standard (RPS) statute. The adjustments include: (1) increasing the number of renewable energy credits (RECs) available for purchase by NH utilities, and (2) keeping more of the RECs generated by in-state suppliers inside our borders. Keeping RECs inside our borders is an often-overlooked issue. Today, utilities in Massachusetts, Rhode Island, and Connecticut are buying RECs from NH-based generators and claiming them as their own. When these RECS are sold out-of-state, the renewability benefit belongs to the state where the REC is counted. It is no coincidence that the nine states in the US with the highest electric rates are all RPS states. This bill provided an opportunity to bend the cost curve of RPS in New Hampshire in a downward direction while allowing the state to move closer to its renewable energy goals. Majority committee report adopted.

HB 1288, relative to the National Guard force protection policy. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. This bill was introduced to give the Adjutant General greater powers to arm certain military personnel at various state military installations, to assist in the state's force protection policy. Right now, the Law Enforcement Officer's Safety Act of 2004 authorizes the arming of federal military installations, but not our National Guard and Air National Guard area state installations. We believe that under Article 10 of the US Constitution (states' rights) we have the authority to make changes to our New Hampshire laws pertaining to state owned bases. In Part 2 of the NH Constitution, the Senate and House have the supreme power to enact laws to ensure that our National Guard and Air National Guard have the tools necessary for the protection of all state bases. Part 2, Article 51 gives the power to the Governor, who is the Commander in Chief, to execute the laws of the state and of the United States. This legislation seeks to put this responsibility in state law, to ensure our Adjutant General has the tools necessary to be sure that he identifies members of the military (state) to be armed so they can protect themselves in case of a terrorist attack. Vote 10-3.

Rep. Kris Roberts for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that this bill is an over stepping of the constitutional separation of powers. The National Guard and Air National Guard fall under the command and control of the Governor as Commander in Chief. When a citizen becomes a member of the armed forces he or she gives up some rights. It is up to the facilities commander to determine if he or she will allow service members to bring personal weapons upon such facilities. If the commander allows service members to bring personal weapons on military facilities he or she must develop a force protection plan in case that service member choses to use that weapon on another service member(s). As history has shown, even the best training shooters have problems keeping bullets on target during firing. Just allowing someone to carry a weapon does not ensure safety. All military commanders have a force protection plan.

Majority Amendment (0241h)

Amend RSA 110-B:28, VII as inserted by section 1 of the bill by replacing it with the following: VII. Any force protection policy adopted by the adjutant general shall permit members of the guard to carry a concealed pistol or revolver upon their person in accordance with the rules, regulations, and training requirements prescribed by the adjutant general.

AMENDED ANALYSIS

This bill provides that any force protection policy adopted by the New Hampshire national guard shall permit members of the guard to carry concealed weapons at national guard facilities in accordance with rules prescribed by the adjutant general.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kris Roberts spoke against.

Rep. Baldasaro spoke in favor and yielded to questions.

(Rep. Packard in the Chair)

Rep. Murphy requested a roll call; sufficiently seconded.

YEAS 188 NAYS 129

YEAS - 188 BELKNAP

Aldrich, Glen	Dumais, Russell
Fraser, Valerie	Gallagher, Brian
LeBreche, Shari	Russell, David
Tilton, Franklin	Vadney, Herbert

Fields, Dennis
Howard, Jr., Raymond
Spanos, Peter

Flanders, Donald Hurt, George Sylvia, Michael

CARROLL

Avellani, Lino McCarthy, Frank Schmidt, Stephen Buco, Thomas McConkey, Mark Wright, Ted

Comeau. Ed Nelson, Bill

Cordelli, Glenn Parker, Harold

Hunt, John

McConnell, James

CHESHIRE Tilton, Benjamin

COOS

Fotheraill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad Hull, Robert Darrow, Stephen Johnson, Eric

Ammon, Keith

Gionet, Edmond Ladd, Rick

Hennessey, Erin Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Belanger, James Burt, John Christie, Rick Edelblut, Frank Flanagan, Jack Gould, Linda Herbert, Christopher Infantine, William McCarthy, Peggy Murphy, Keith Palmer, Barry Prouix, Mark Sanborn, Laurie Smith, Gregory

Biggie, Barbara Byron, Frank Coffey, James Edwards, Elizabeth Gagne, Larry Griffin, Barbara Hinch, Richard Lachance, Joseph McLean, Mark Notter, Jeanine Parison, James Rice, Kimberly Schleien, Eric Sullivan, Victoria Ulery, Jordan

Balcom, John Boehm, Ralph Christensen, Chris Donovan, Daniel Estevez, Eric Gidge, Kenneth Haefner, Robert Hogan, Edith LeBrun, Donald Moore, Josh Ober, Lynne Pellegrino, Anthony Rouillard, Claire Seidel, Carl Sweeney, Shawn Wolf, Terry

Barry, Richard Bouldin, Amanda Christiansen, Lars Eastman, Eric Ferreira, Elizabeth Gonzalez, Carlos Haistead, Carolyn Hopper, Gary Leishman, Peter Murotake, David Ohm. Bill Peterson, Ken Rowe, Robert Simmons, Tammy Takesian, Charlene

MERRIMACK

Brewster, Michael Hill. Gregory Long, Douglas McGuire, Dan

Twombly, Timothy

French, Barbara Hoell, J.R. Marple, Richard Seaworth, Brian

Hess. David French, Harold Kotowski, Frank Horn, Werner McGuire, Carol Martin, John Walsh, Thomas Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Bates, David Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Green, Dennis Hoelzel, Kathleen Kolodziej, Walter McMahon, Charles Peckham, Michele Spillane, James True, Chris Welch, David

Abramson, Max Bush, Carol Christie, Andrew Devine, James Ferrante, Beverly Griffin, Mary Itse, Daniel Major, Norman Nigrello, Robert Potucek, John Sytek, John Tucker, Pamela Weyler, Kenneth

Baldasaro, Alfred Cardon, G. Thomas Cook, Allen Doucette, Fred Friel, William Harris, Jeffrey Kappler, Lawrence Matthews, Carolyn O'Connor, John

Osborne, Jason Prudhomme-O'Brien, Katherine Thomas, Douglas Vose, Michael

Barnes, Arthur Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Katsakiores, Phyllis McKinney, Betsy

Schroadter, Adam Tilton, Rio Ward, Joanne

STRAFFORD

Beaudoin, Steven DeLemus, Susan Jones, Laura Pitre, Joseph

Berube, Roger Graham, Robert Kaczynski, Jr., Thomas Turcotte, Leonard

Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Mullen, John

SULLIVAN

Converse, Larry Grenier, James Laware, Thomas Rollins, Skip Smith, Steven NAYS - 129 CARROLL Butler, Edward Ticehurst, Susan Umberger, Karen **CHESHIRE** Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Mann, John Pearson, William Roberts, Kris Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Weber, Lucy COOS Hatch, William Moynihan, Wayne Theberge, Robert Thomas, Yvonne GRAFTON Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew HILLSBOROUGH Backus, Robert Baroody, Benjamin Beaulieu, Jane Brown, Pamela Cohen, Alan Cornell, Patricia Cote, David Freitas, Mary Golev, Jeffrey Gorman, Mary Hansberry, Daniel Harvey, Suzanne Heath, Mary Jack, Martin Long, Patrick Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael Ober, Russell Pierce, David Roberts, Carol Rosenwald, Cindy Shaw, Barbara Smith, Timothy Snow, Kendall Soucy, Timothy Sullivan, Daniel Vann, Ivy Walsh, Robert Williams, Kermit MERRIMACK Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Kidder, David Kuch, Bill Luneau, David MacKay, James Moffett, Howard Myler, Mel Ratzki, Mario Rice, Chip Saunderson, George Schuett, Dianne Shurtleff, Stephen Wheeler, Deborah ROCKINGHAM Azarian, Garv Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Milz, David Pantelakos, Laura Rice, Frederick Simpson, Alexis Ward, Gerald STRAFFORD Baber, William Bixby, Peter Burton, Wayne DiSesa, Len Gray, James Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Wall, Janet **SULLIVAN** Cloutier, John Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Oxenham, Lee Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 1132, relative to carrying a rifle or shotgun in certain vehicles. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Steven Smith for the Majority of Transportation. This bill allows hunters and sportsmen to have ammunition in their guns in their vehicles. This bill enhances safety by reducing the number of times the weapon is unloaded and reloaded. The committee amendment requires the safety to be on, and the chamber empty. Vote 11-9.

Rep. George Sykes for the Minority of Transportation. This bill, as amended, changes an existing Fish and Game law which currently prohibits a loaded rifle or shotgun in a vehicle. The amendment allows a rifle or shotgun in the vehicle when there is ammunition in the magazine, none in the chamber and the safety is on. NH Fish and Game, NH Department of Safety and the NH Guide Association were all opposed to the original bill, and they had no opportunity to comment on the amendment. There was no compelling testimony showing why this change was necessary.

Majority Amendment (0701h)

Amend the title of the bill by replacing it with the following:

relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

Amend the bill by replacing section 1 with the following:

1 Hunting From a Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft. Amend RSA 207:7 to read as follows:

207:7 Hunting From Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft.

I. No person shall take or attempt to take wild birds or wild animals from a motor vehicle, OHRV, snowmobile as defined in RSA 215-C:1, boat, aircraft or other craft propelled by mechanical power.

II. No person shall have or carry, in or on a motor vehicle, OHRV, snowmobile, or aircraft, whether moving or stationary, a cocked crossbow, or a loaded rifle or loaded shotgun[, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun] that has a round in the chamber and the safety in the off position.

III. No person shall have in or on a boat or other craft while being propelled by mechanical power, or in a boat or other craft being towed by a boat or other craft propelled by mechanical power, a cocked crossbow, or a loaded rifle or loaded shotgun[, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun] that has a round in the chamber and the safety in the off position.

IV. The provisions of this section shall not apply to law enforcement officers carrying guns in the line of duty.

AMENDED ANALYSIS

This bill prohibits carrying in a motor vehicle, OHRV, snowmobile, aircraft, or boat, a loaded rifle or loaded shotgun that has a round in the chamber and the safety in the off position.

Rep. Steven Smith spoke in favor. Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 196 NAYS 120

YEAS - 196 RELKNAP

		ATTACA 17 TA	
Fields, Dennis	Flanders, Donald	Gallagher, Brian	Hurt, George
LeBreche, Shari	Spanos, Peter	Tilton, Franklin	
		CARROLL	
Butler, Edward	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Eaton, Daniel
Johnsen, Gladys	Ley, Douglas	Mann, John	Pearson, William
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce

Weber, Lucy

COOS

Fothergill, John Rideout, Leon Hatch, William Theberge, Robert Moynihan, Wayne Tholl, John

Richardson, Herbert Thomas, Yvonne

Abel, Richard Gionet, Edmond Ladd, Rick Shackett, Jeffrey

Almy, Susan Hennessey, Erin Maes, Kevin Smith, Suzanne GRAFTON

Bailey, Brad

Hennessey, Martha

Massimilla, Linda

Sykes, George

Ford, Susan Higgins, Patricia Piper, Wendy White, Andrew

HILLSBOROUGH

Balcom, John Brown, Pamela Donovan, Daniel Freitas, Mary Gorman, Mary Harvey, Suzanne Hopper, Gary Long, Patrick Moore, Josh Parison, James Porter, Marjorie Smith, Timothy Sweeney, Shawn Williams, Kermit

Baroody, Benjamin Christensen, Chris Eastman, Eric Gagne, Larry Haefner, Robert Heath, Mary Infantine, William Mangipudi, Latha O'Brien, Michael Pellegrino, Anthony Roberts, Carol Snow, Kendall Takesian, Charlene Wolf, Terry

Barry, Richard Cornell, Patricia Edwards, Elizabeth Goley, Jeffrey Halstead, Carolyn Herbert, Christopher Jack, Martin Manley, Jonathan Ober, Russell Peterson, Ken Rosenwald, Cindy Soucy, Timothy Vann, Ivy

Beaulieu, Jane Cote, David Flanagan, Jack Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Leishman, Peter McNamara, Richard Palmer, Barry Pierce, David Shaw, Barbara Sullivan, Daniel Walsh, Robert

MERRIMACK

Alicea, Caroletta Ebel, Karen Hess, David Karrick, David Luneau, David Myler, Mel Schuett, Dianne Bartlett, Christy Frazer, June Hill, Gregory Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen Carson, Clyde French, Harold Hirsch, Geoffrey Kotowski, Frank Marple, Richard Rice, Chip Turcotte, Alan

Doherty, David Gile, Mary Horn, Werner Long, Douglas Moffett, Howard Saunderson, George Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Chirichiello, Brian Devine, James Gordon, Pamela Katsakiores, Phyllis Matthews, Carolyn Nigrello, Robert Simpson, Alexis

Berrien, Skip Christie, Andrew DiFranco, Debbie Griffin, Mary Kolodziej, Walter McBeath, Rebecca O'Connor, John Sytek, John Borden, David Cook, Allen Francese, Paula Heffron, Frank Lovejoy, Patricia McMahon, Charles Pantelakos, Laura Ward, Gerald

Cahill, Michael DeSimone, Debra Friel, William Hoelzel, Kathleen Major, Norman Milz, David Peckham, Michele Weyler, Kenneth

STRAFFORD

Baber, William Bixby, Peter Kaen, Naida Rollo, Deanna Sprague, Dale Wuelper, Kurt Beaudoin, Steven Burton, Wayne Leeman, Don Schmidt, Peter Stevens, Audrey

Berube, Roger Gray, James Mullen, John Southworth, Thomas Treleaven, Susan

Bickford, David Horrigan, Timothy Pitre, Joseph Spang, Judith Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond Laware, Thomas

Gottling, Suzanne Oxenham, Lee

NAYS - 120 BELKNAP

	В	ELKNAI	
Aldrich, Glen Russell, David	Dumais, Russell Sylvia, Michael	Fraser, Valerie Vadney, Herbert	Howard, Jr., Raymond
	C	ARROLL	
Avellani, Lino Nelson, Bill	Buco, Thomas Wright, Ted	Comeau, Ed	Cordelli, Glenn
	C	HESHIRE	
Bordenet, John	Chase, Cynthia	Hunt, John	McConnell, James
	G	GRAFTON	
Cooney, Mary Johnson, Eric	Darrow, Stephen Townsend, Charles	Hull, Robert	Ingbretson, Paul
	HILI	LSBOROUGH	
Adams, Christopher Biggie, Barbara Byron, Frank Cohen, Alan Gidge, Kenneth Lachance, Joseph McLean, Mark Ober, Lynne Rouillard, Claire Seidel, Carl Twombly, Timothy Bradley, Paula Hoell, J.R. McGuire, Carol	Ammon, Keith Boehm, Ralph Christiansen, Lars Edelblut, Frank Gould, Linda LeBrun, Donald Murotake, David Ohm, Bill Rowe, Robert Simmons, Tammy Ulery, Jordan MI Brewster, Michael Kidder, David McGuire, Dan	Backus, Robert Bouldin, Amanda Christie, Rick Estevez, Eric Griffin, Barbara Marston, Dick Murphy, Keith Proulx, Mark Sanborn, Laurie Smith, Gregory ERRIMACK Deloge, Helen Kuch, Bill Seaworth, Brian	Belanger, James Burt, John Coffey, James Ferreira, Elizabeth Hogan, Edith McCarthy, Peggy Notter, Jeanine Rice, Kimberly Schleien, Eric Sullivan, Victoria French, Barbara Martin, John Wheeler, Deborah
McGuire, Carol	•	CKINGHAM	
Abramson, Max Bates, David Chase, Francis Duarte, Joe Green, Dennis McKinney, Betsy Schroadter, Adam True, Chris Welch, David	Azarian, Gary Bush, Carol Cushing, Robert Emerick, J. Tracy Harris, Jeffrey Osborne, Jason Spillane, James Tucker, Pamela	Baldasaro, Alfred Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Ferrante, Beverly Hodgdon, Bruce Potucek, John Thomas, Douglas Vose, Michael	Barnes, Arthur Cardon, G. Thomas Doucette, Fred Gannon, William Kappler, Lawrence Prudhomme-O'Brien, Katherine Titton, Rio Ward, Joanne

STRAFFORD

Cheney, Catherine DeLemus, Susan DiSesa, Len Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Turcotte, Leonard

SULLIVAN

Rollins, Skip and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Proulx offered floor amendment (0939h).

Floor Amendment (0939h)

Amend the title of the bill by replacing it with the following:

relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

Amend the bill by replacing section 1 with the following:

1 Hunting From a Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft. Amend RSA 207:7 to read as follows:

207:7 Hunting From Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft.

I. No person shall take or attempt to take wild birds or wild animals from a motor vehicle, OHRV, snowmobile as defined in RSA 215-C:1, boat, aircraft or other craft propelled by mechanical power.

II. No person shall have or carry, in or on a motor vehicle, OHRV, snowmobile, or aircraft, whether moving or stationary, a cocked crossbow, or a loaded rifle or loaded shotgun[, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun] that has the safety in the off position.

III. No person shall have in or on a boat or other craft while being propelled by mechanical power, or in a boat or other craft being towed by a boat or other craft propelled by mechanical power, a cocked crossbow, or a loaded rifle or loaded shotgun[, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun] that has the safety in the off position.

IV. The provisions of this section shall not apply to law enforcement officers carrying guns in

the line of duty.

AMENDED ANALYSIS

This bill prohibits carrying in a motor vehicle, OHRV, snowmobile, aircraft, or boat, a loaded rifle or loaded shotgun that has the safety in the off position.

Rep. Proulx spoke in favor.

Rep. Steven Smith spoke against.

Floor amendment (0939h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sykes spoke against.

Rep. Proulx spoke in favor.

Rep. Hoell requested a roll call; not sufficiently seconded.

On a division vote, with 183 members having voted in the affirmative, and 129 in the negative, the majority committee report was adopted and ordered to third reading.

(Speaker Jasper in the Chair)

HB 1154-FN, authorizing and regulating the use of license plate scanning devices. OUGHT TO PASS WITH AMENDMENT.

Rep. Werner Horn for Transportation. The practice of checking license plates to determine if the vehicle has been involved in a crime exists currently. This legislation allows law enforcement officers to utilize technology to become more efficient in this practice. The plate readers only capture an image of the plate. The database it is compared to is locally controlled, and if the plate being read isn't in the database the image is deleted after three minutes. The amendment adds a reference to the state police and it changes references to vehicles, rather than persons. The amendment also adds additional safeguards to prevent captured data from being transmitted anywhere and ensures that such data is destroyed after purging and not used or shared for any other purpose. The ability to utilize this technology will make law enforcement more efficient and increases their ability to respond to critical incidents. Vote 13-4.

Amendment (0418h)

Amend RSA 261:75-b, II as inserted by section 2 of the bill by replacing it with the following:

II. Authority to obtain and issue LPR devices and to administer a documented training process for acquiring proficiency in their operation and compliance with federal and state regulations and other appropriate legal mandates shall be vested in the head of the state police or the chief of police, director, county sheriff, or other head of a law enforcement agency or his or her designee. Only devices authorized by the head of the law enforcement agency shall be approved for its use by its officers and the devices shall be maintained in accordance with the manufacturer's recommendations. Such policy or policies shall conform to the requirements of this chapter.

Amend RSA 261:75-b, V as inserted by section 2 of the bill by replacing it with the following:

V. LPR operation and access to LPR collected data shall be for official law enforcement purposes only. LPR devices shall only be used to scan, detect, and identify license plate numbers for the purpose of identifying:

(a) Stolen vehicles.

(b) Vehicles associated with wanted, missing, or endangered persons.

(c) Vehicles registered to a person against whom there is an outstanding warrant.

(d) Vehicles registered to persons whose drivers' licenses, driving privileges, or vehicle registrations are under suspension or revocation.

(e) Vehicles registered to persons suspected of criminal or terrorist acts, transportation of stolen items or contraband, or motor vehicle violations.

(f) Vehicles in violation of commercial trucking requirements.

(g) Vehicles involved in case-specific criminal investigative surveillance.

(h) Vehicles involved in homicides, shootings, and other major crimes or incidents.

(i) Vehicles in the vicinity of a recent crime that may be connected to the crime.

Amend RSA 261:75-b, VIII as inserted by section 2 of the bill by replacing it with the following: VIII. Records of number plates read by each LPR shall not be recorded or transmitted anywhere and shall be purged from the system within 3 minutes of their capture in such a manner that they are destroyed and are not recoverable, unless an alarm resulted in an arrest, a citation, or protective custody, or identified a vehicle that was the subject of a missing person or wanted broadcast, in which case the data on the particular number plate may be retained until final court disposition of the case. Captured license plate data obtained for the purposes described in paragraph V shall not be used or shared for any other purpose.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Sylvia spoke against.

Rep. Horn spoke in favor.

Townsend, Charles

Rep. Burt spoke against and yielded to questions.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

White, Andrew

YEAS 175 NAYS 112

YEAS - 175

RELKNAP

	B	ELKNAP	
Dumais, Russell Russell, David	Fields, Dennis Tilton, Franklin	Flanders, Donald	Gallagher, Brian
	C	ARROLL	
Buco, Thomas McConkey, Mark Umberger, Karen	Butler, Edward Parker, Harold	Cordelli, Glenn Schmidt, Stephen	McCarthy, Frank Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Mann, John Tatro, Bruce	Ames, Richard Eaton, Daniel Robertson, Timothy Weber, Lucy	Berch, Paul Hunt, John Sad, Tara	Bordenet, John Johnsen, Gladys Shepardson, Marjorie
		COOS	
Fothergill, John Tholl, John	Moynihan, Wayne Thomas, Yvonne	Richardson, Herbert	Theberge, Robert
	G	RAFTON	
Abel, Richard Hennessey, Erin Massimilla, Linda	Almy, Susan Hennessey, Martha Piper, Wendy	Cooney, Mary Higgins, Patricia Smith, Suzanne	Darrow, Stephen Maes, Kevin Sykes, George

Rideout, Leon

Hull, Robert

HILLSBOROUGH Backus, Robert Balcom, John Baroody, Benjamin Beaulieu, Jane Biggie, Barbara Brown, Pamela Christensen, Chris Christiansen, Lars Cohen, Alan Comell, Patricia Donovan, Daniel Edelblut, Frank Freitas, Mary Gagne, Larry Gidge, Kenneth Goley, Jeffrey Gonzalez, Carlos Gorman, Mary Haefner, Robert Halstead, Carolyn Hansberry, Daniel Heath, Mary Herbert, Christopher Hinch, Richard Jack, Martin Long, Patrick Manley, Jonathan Marston, Dick McNamara, Richard Notter, Jeanine O'Brien, Michael Ober, Lynne Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Mariorie Proulx, Mark Roberts, Carol Shattuck, Gilman Shaw, Barbara Snow, Kendall Soucy, Timothy Sullivan, Daniel Takesian, Charlene Ulery, Jordan Walsh, Robert MERRIMACK Alicea, Caroletta Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Frazer, June Henle, Paul Horn, Werner Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Myler, Mel Ratzki, Mario Rice, Chip Saunderson, George Schuett, Dianne Shurtleff, Stephen Wheeler, Deborah ROCKINGHAM Abrami, Patrick Azarian, Garv Barnes, Arthur Berrien, Skip Cahill, Michael Christie, Andrew DeSimone, Debra Devine, James DiFranco, Debbie Doucette, Fred Ferrante, Beverly Francese, Paula Friel, William Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Kolodziej, Walter Major, Norman Matthews, Carolyn McBeath, Rebecca McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Pantelakos, Laura Rice, Frederick Sytek, John Thomas, Douglas Ward, Gerald Ward, Joanne Welch, David Weyler, Kenneth STRAFFORD Berube, Roger Bickford, David Burton, Wayne Cheney, Catherine DiSesa, Len Gray, James Horrigan, Timothy Kaen, Naida Rollo, Deanna Schmidt, Peter Southworth, Thomas Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan Wall, Janet SULLIVAN Cloutier, John Converse, Larry Gagnon, Raymond Grenier, James Irwin, Virginia Laware, Thomas Oxenham, Lee Smith, Steven **NAYS - 112** BELKNAP Aldrich, Glen Fraser, Valerie Howard, Jr., Raymond Hurt, George LeBreche, Shari Spanos, Peter Sylvia, Michael Vadney, Herbert CARROLL Avellani, Lino Comeau, Ed Nelson, Bill Wright, Ted **CHESHIRE** Ley, Douglas McConnell, James Roberts, Kris Tilton, Benjamin COOS

GRAFTON

Johnson, Eric

Ingbretson, Paul

HILLSBOROUGH

	4111	HELSBOROUGH	
Adams, Christopher Burt, John Edwards, Elizabeth Griffin, Barbara Lachance, Joseph Moore, Josh Ohm, Bill Sanborn, Laurie Smith, Gregory Twombly, Timothy	Ammon, Keith Byron, Frank Estevez, Eric Hansen, Peter LeBrun, Donald Murotake, David Parison, James Schleien, Eric Smith, Timothy Williams, Kermit	Belanger, James Christie, Rick Ferreira, Elizabeth Hogan, Edith McCarthy, Peggy Murphy, Keith Rice, Kimberly Seidel, Carl Sullivan, Victoria Wolf, Terry	Boehm, Ralph Eastman, Eric Gould, Linda Hopper, Gary McLean, Mark Ober, Russell Rouillard, Claire Simmons, Tammy Sweeney, Shawn

MERRIMACK

	TAY	LIMINACK	
Brewster, Michael Kuch, Bill McGuire, Dan	French, Harold Long, Douglas Seaworth, Brian	Hill, Gregory Marple, Richard Turcotte, Alan	Hoell, J.R. McGuire, Carol Walsh, Thomas

ROCKINGHAM

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Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Cook, Allen
Cushing, Robert	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Green, Dennis	Harris, Jeffrey	Heffron, Frank
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Spillane, James	Tilton, Rio	True, Chris	Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Graham, Robert	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don
Mullen, John	Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt

SULLIVAN

Rollins, Skip

and the committee report was adopted and ordered to third reading.

HB 1358, regulating engine idling of certain vehicles. INEXPEDIENT TO LEGISLATE.

Rep. Chris True for Transportation. While the majority of the committee does understand the desire to save on fuel usage by limiting excessive idling, this would be an unenforceable law that does not have any penalty for failure to obey the law. Vote 14-3. Committee report adopted.

HB 1257, relative to revocation or suspension of a driver's license because of physical impairment. INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for Transportation. This bill would delay the DMV's ability to suspend a driver's license for a medical reason. A doctor would have to recommend suspension before DMV could act, bringing liability issues into play for the physician. The current practice allows for suspension with a prompt hearing and review of the medical circumstances. The majority of the committee believes changing this method could result in dangerous delays in responding to unsafe driving conditions. Vote 18-1. Committee report adopted.

HB 1445-FN, relative to tinted windows on motor vehicles. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Larry Gagne for the Majority of Transportation. This bill allows aftermarket tinting of side windows, subject to an annual fee. The majority of the committee feels that the time has come for tinted side windows. Forty-six other states have allowed this and there have been no issues regarding the safety of law enforcement because the tinting (no more than 35%) is such that you can readily see inside the vehicle. This bill allows no more tint than our law enforcement officers currently encounter from the thousands of tourists coming to our state. Vote 12-6.

Rep. Michael O'Brien for the Minority of Transportation. This bill would allow aftermarket tinting of a vehicle's side windows (driver and passenger) up to a 35% limit of light transmittance. For years such a bill has come before the Transportation Committee to allow more tinting than what comes from the factory. The main opponents to this novelty are the New Hampshire Department of Safety and the New Hampshire Association of Chiefs of Police. Their objection is one of officer safety. Therefore in support of the men and women who serve and protect, the minority opposes this bill as a matter of safety by not placing our law enforcement officers in a situation that could be deadly. Currently there is a system that would allow window tint for medical necessity at zero cost to the citizens. This bill upon passage will increase the consumers' cost to \$10 annually for each vehicle.

Majority committee report adopted and ordered to third reading.

HB 1509, relative to the definition of "houseboat." INEXPEDIENT TO LEGISLATE.

Rep. Michael O'Brien for Transportation. This bill would have changed the definition of a houseboat to eliminate a sailboat used by maritime youth training. This would have allowed such designated training craft overnight mooring. Current law does allow a vessel to be moored at night with a person awake and on watch. Vote 15-3. Committee report adopted.

HB 1192-FN, repealing the education tax credit. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Bill Ohm for the Majority of Ways and Means. This bill represents a third attempt at repeal since the Education Tax Credit Scholarship program went into effect. The bill sponsors continue to contend that the program is unconstitutional which flies in the face of national legal outcomes with similar programs. Nationally, no court (up to and including the US Supreme Court) has ever ruled the programs violate the Constitution and that includes many who have the similar Blaine Amendment the NH Constitution contains. The committee heard testimony from the NH Department of Education and the NH Department of Revenue Administration each who reported that the program works smoothly, does not require additional personnel, and costs little to nothing to operate. Low-income parents have reported high satisfaction and, best of all, 238 children to date have received scholarships and are attending to their schooling in places that fit their needs. As with ANY student in NH, rich or poor, with or without a scholarship, who attends a school other than the public school assigned to him/her, the state does not provide adequacy payments to that school district AND SO this program statewide has saved the NH state budget over \$300,000 since inception. The majority sees NO reason for the program to be discontinued. Vote 11-8.

Rep. Mary Cooney for the Minority of Ways and Means. This law has been in effect since June 27, 2012 with the passage of SB 372 (Ch. 287, Laws of 2012). The committee heard positive testimony from one of the families that had been able to utilize these small tax credits. Because the municipalities lose adequacy grants when they lose students due to this program, the net result is that the state has not seen a loss of revenue so far, but the towns have. The law was challenged in Superior Court on the basis of separation of church and state, but on appeal to the NH Supreme Court it was dismissed due to the plaintiffs having "no standing." Since there was no ruling on the constitutionality of the education tax credit that question still remains unchallenged. The minority believes this law is a backdoor to funding religious schools with New Hampshire business tax revenue. The other consideration is that businesses which take advantage of this law can deduct 85% of their donation amount directly from the Business Profits Tax and/or Business Enterprise Tax that they owe to the State of New Hampshire. They can also claim that same amount as a charitable deduction on their federal tax return. The result can be a net gain to the businesses, leaving them with no skin in the game. This tax credit essentially allows businesses to choose where their tax money goes, not the legislature. Even though the amount of scholarships used at the present time is low, the law allows up to \$5.1 million to be used. When asked how the public schools could be improved to meet the needs of her other children, a participating mother replied, "Teachers should receive more respect, and the state should put more funding into the public schools."

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 189 NAYS 117

YEAS - 189 BELKNAP

Aldrich, Glen Dumais, Russell Fraser, Valerie Gallagher, Brian LeBreche, Shari Russell, David Tilton, Franklin Vadney, Herbert Avellani, Lino Comeau. Ed

Fields. Dennis Flanders, Donald Howard, Jr., Raymond Hurt, George Spanos, Peter Sylvia, Michael

CARROLL

McConkey, Mark Ticehurst, Susan Nelson, Bill Umberger, Karen Cordelli, Glenn Parker, Harold Wright, Ted

McCarthy, Frank Schmidt, Stephen

CHESHIRE

Hunt, John

Mann, John

McConnell, James

Tilton, Benjamin

COOS

Fotheraill, John Thomas, Yvonne Rideout, Leon

Tholl, John

GRAFTON

Darrow, Stephen Ingbretson, Paul

Gionet, Edmond Johnson, Eric

Richardson, Herbert

Hennessey, Erin Ladd, Rick

Hull, Robert

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christensen, Chris Donovan, Daniel Estevez, Eric Gould, Linda Hansen, Peter Lachance, Joseph McLean, Mark Notter, Jeanine Palmer, Barry Pierce, David Sanborn, Laurie Simmons, Tammy Takesian, Charlene

Ammon, Keith Boehm, Ralph Christiansen, Lars Eastman, Eric Ferreira, Elizabeth Griffin, Barbara Hinch, Richard LeBrun, Donald Moore, Josh Ober, Lynne Parison, James Proulx, Mark Schleien, Eric Smith, Gregory Twombly, Timothy

Balcom, John Burt, John Christie, Rick Edelblut, Frank Gagne, Larry Haefner, Robert Hogan, Edith Marston, Dick Murotake, David Ober, Russell Pellegrino, Anthony Rice, Kimberly Seidel, Carl Sullivan, Victoria Ulery, Jordan

Belanger, James Byron, Frank Coffey, James Edwards, Elizabeth Gonzalez, Carlos Halstead, Carolyn Hopper, Gary McCarthy, Peggy Murphy, Keith Ohm, Bill Peterson, Ken Rouillard, Claire Shaw, Barbara Sweeney, Shawn Wolf, Terry

MERRIMACK

French, Harold Horn, Werner Long, Douglas McGuire, Dan

Hess, David Karrick, David Marple, Richard Seaworth, Brian

Kotowski, Frank Martin, John Wheeler, Deborah

Hill, Gregory

Hoell, J.R. Kuch, Bill McGuire, Carol

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Kappler, Lawrence

Abramson, Max Bates, David Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis

Azarian, Gary Bush, Carol Christie, Andrew Devine, James Ferrante, Beverly Griffin, Mary Introne, Robert Kolodziej, Walter

Baldasaro, Alfred Cardon, G. Thomas Cook, Allen Doucette, Fred Friel, William Harris, Jeffrey Itse. Daniel Major, Norman

Ratzki, Mario

Shurtleff, Stephen

Milz, David McMahon, Charles McKinney, Betsy Matthews, Carolyn Pantelakos, Laura Packard, Sherman Osborne, Jason Nigrello, Robert Rice, Frederick Potucek, John Prudhomme-O'Brien, Katherine Peckham, Michele Thomas, Douglas Tilton, Rio Sytek, John Spillane, James Welch, David Ward, Joanne Vose, Michael True, Chris Weyler, Kenneth STRAFFORD DeLemus, Susan Bickford, David Cheney, Catherine Beaudoin, Steven Hannon, Joseph Gray, James Groen, Warren Graham, Robert Leeman, Don Mullen, John Kaczynski, Jr., Thomas Jones, Laura Wuelper, Kurt Treleaven, Susan Turcotte, Leonard Pitre, Joseph SULLIVAN Smith, Steven Rollins, Skip Grenier, James Laware, Thomas **NAYS - 117** CARROLL Buco, Thomas CHESHIRE Berch, Paul Bordenet, John Abbott, Michael Ames, Richard Ley, Douglas Johnsen, Gladys Eaton, Daniel Chase, Cynthia Shepardson, Marjorie Robertson, Timothy Sad, Tara Pearson, William Weber, Lucy Tatro, Bruce COOS Theberge, Robert Moynihan, Wayne Hatch, William GRAFTON Ford, Susan Cooney, Mary Abel, Richard Almy, Susan Massimilla, Linda Maes. Kevin Higgins, Patricia Hennessey, Martha Townsend, Charles Sykes, George Smith, Suzanne Piper, Wendy White, Andrew HILLSBOROUGH Beaulieu, Jane Brown, Pamela Baroody, Benjamin Backus, Robert Freitas, Mary Cornell, Patricia Cote. David Cohen, Alan Hansberry, Daniel Gorman, Mary Goley, Jeffrey Gidge, Kenneth Jack, Martin Herbert, Christopher Heath, Mary Harvey, Suzanne Manley, Jonathan Mangipudi, Latha Long, Patrick Jeudy, Jean Roberts, Carol Porter, Marjorie O'Brien, Michael McNamara, Richard Smith, Timothy Snow, Kendall Shattuck, Gilman Rosenwald, Cindy Walsh, Robert Vann, Ivy Sullivan, Daniel Soucy, Timothy Williams, Kermit MERRIMACK Carson, Clyde Bradley, Paula Bartlett, Christy Alicea, Caroletta Frazer, June Ebel, Karen Doherty, David Deloge, Helen Henle, Paul Hirsch, Geoffrey Gile, Mary French, Barbara Myler, Mel Luneau, David MacKay, James Kenison, Linda Schuett, Dianne Saunderson, George Rice. Chip

ROCKINGHAM

Cushing, Robert Cali-Pitts, Jacqueline Cahill, Michael Berrien, Skip Gordon, Pamela Heffron, Frank Francese, Paula DiFranco, Debbie Ward, Gerald Simpson, Alexis McBeath, Rebecca Lovejoy, Patricia

Turcotte, Alan

STRAFFORD

Baber, William Berube, Roger DiSesa, Len Horrigan, Timothy Southworth, Thomas Spang, Judith

Kaen, Naida Stevens, Audrey

Bixby, Peter

Burton, Wayne Schmidt, Peter Wall, Janet

Gottling, Suzanne

SULLIVAN

Cloutier, John Converse, Larry Irwin, Virginia Oxenham, Lee

Gagnon, Raymond

Schmidt, Andrew

and the majority committee report was adopted. Rep. Ticehurst voted Yea and intended to vote Nay.

HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for the Majority of Ways and Means. The majority amendment replaces the bill and builds on the work of the Assessing Standards Board (ASB) to develop a methodology for assessing telecommunication poles and conduits. The original bill was merely a framework that the ASB used to develop recommendations. The legislature allowed, for the first time, municipalities to treat telecommunication poles and conduits as real property and be taxed as such starting in 2011. The only problem was that no guidance was given as to how that should be done. The result was numerous methodologies being employed by different assessors throughout the state with average pole assessments in communities ranging from \$107 to \$2,100 based upon Department of Revenue Administration (DRA) scrubbed data. These wide-ranging assessment values have led to hundreds of lawsuits each year between municipalities and the various telecommunication companies that operate in New Hampshire at great legal expense to all involved. After months of study the full ASB had no choice but to vote that there was a problem and that a solution was required. It became clear that a legislative solution was required to a problem in part created by the legislature. An ASB subcommittee concluded that telecommunication poles and conduits are a specialty property and should be stated as such in RSA 75:1, which lists exceptions to real property being assessed based upon market value. Such an exception was added in the amendment. In addition, research of this issue showed that other states have grappled with this issue and concluded that a simple formula be adopted: the replacement cost new (RCN) of the telecommunication pole and conduit, less depreciation calculated on a straight-line basis for a period of a certain number of years with a residual value of a certain percent. The amendment also calls for the DRA to publish by July 1 of each year the RCN for all height poles using a national published telecommunications standard cost data guide (which includes installation cost) calculated using a five-year rolling average. The ASB subcommittee, the ASB full board, and the sponsors of this bill all agreed upon these principles and that the residual value of a pole be set at 20 percent. Further research found that the Federal Communications Commission uses 25-35 years as depreciation lengths for poles and many other states come in close to a length of 30 years. Based upon this evidence, a depreciation of 30 years was chosen based upon fact. This bill will provide the much-needed guidance to municipalities so that pole and conduit assessments are done in a fair and consistent basis across all our communities. This bill will put an end to all the hundreds of lawsuits that are costing the municipalities and the industry thousands of dollars in legal fees and clogging the courts with these cases. Vote 18-5. Rep. Susan Almy for the Minority of Ways and Means. Six years ago the legislature ended years of battle by voting to allow the towns to include telephone poles and conduits in local property tax. Existing law clearly states that the poles and conduits should be assessed as real estate, not as personal property. In other states, because they are treated as personal property, equivalent to machinery rather than land and buildings, they are assessed using the normal business depreciation methods, which reduce an asset's useful value to zero or near zero well before the asset is junked. In our statewide utility property tax, each regulated utility business is assessed as a whole by the income and expense method, which calculates all assets according to business accounting; buildings, transfer stations, poles and conduits among them; and assigns property value according to the firm's net profit. When the legislature decided to let the municipalities tax telephone poles, it left in place in RSA 72:8-a this structure: "The valuation of such property shall be based on its value as real estate." This bill and both majority and minority amendments comply. Real estate value is based on market value, the useful value left in the building or land. Poles last between 50-75 years

the owner.

on average in our state. The majority amendment would reduce the poles' taxable value to 20% of replacement value within 24 years (a nominal 30-year standard), and leave it at that during the next 25-80 years. But they are fully functional poles. The legislatively created Assessing Standards Board was asked to review the issue and come up with recommendations, and it voted for a 50-year standard. The minority amendment says 40 years, because half of that board's subcommittee voted for that as a compromise. The board wanted to be kept in the process, writing the JLCAR rules and holding an annual public hearing on the values; the majority amendment removes them, the minority one restores them. The board wanted specific information on the poles provided to each town; the majority amendment makes it optional, the minority one requires it. These differences are significant to the appropriate real estate assessing of poles. The minority amendment creates the same stable playing field that the majority amendment aspires to, and may well better avoid continuing lawsuits. It allows the large number of municipalities that have been assessing in the middle of the pack to retain their property tax revenue under the new system, but it requires the assessing outliers to lower their assessments. And it has a better chance of final passage and durable life.

Majority Amendment (0528h)

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone

Utilities. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Telecommunications Poles and Conduits. The value of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities, as defined in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, or commercial mobile radio services for purposes of tax assessment against said entity, shall be determined by the following formula: the Replacement Cost New (RCN) of the telecommunications pole or conduit, less depreciation calculated on a straightline basis for a period of 30 years with a residual value of 20 percent. On or before July 1 of the tax year, the department of revenue administration shall provide to every municipality a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average.

3 New Section; Taxable Property; Inventory; Telecommunications Poles and Conduits. Amend

RSA 74 by inserting after section 18 the following new section: 74:19 Inventories of Telecommunications Poles and Conduits.

I. In order to properly determine the value of property under RSA 72:8-c, an inventory of telecommunications poles and conduits shall be filed with the department of revenue administration and with the municipality where the property is located by each owner of telecommunications poles and conduits. Each form may include the following information:

(a) Names and addresses of a contact person if the owner is a trust or corporation.

(b) Detailed description of the telecommunication poles using most recent readily available information held by the owner.

(c) Description of conduits using most recent readily available information held by

(d) The filer's dated signature certifying that the information indicated on the form

is true. II. The inventory of telecommunications poles and conduits required by this section shall be filed with the department of revenue administration and with the municipality where the property is located by the owner of telecommunications poles and conduits no later than July 1. Persons required to file the inventory of telecommunications poles and conduits who willfully fail to file or willfully make false statements on the forms shall be guilty of a violation.

III. Any person or corporation required to file an inventory of telecommunications poles and conduits shall be subject to the provisions of RSA 74:12.

4 Reference Change. Amend RSA 75:1 to read as follows:

75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, qualifying chartered public school property appraised under RSA 79-H, residential rental property

subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, telecommunications poles and conduits pursuant to RSA 72:8-c, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

5 Effective Date. This act shall take effect upon its passage.

Reps. Byron and Cooney spoke against.

Rep. Abrami spoke in favor.

Abrami, Patrick

Christie, Andrew

Bush, Carol

Azarian, Gary

Cardon, G. Thomas

Dean-Bailey, Yvonne

Rep. Almy requested a roll call; sufficiently seconded.

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YEAS - 151

	B	ELKNAP	
Aldrich, Glen Gallagher, Brian Tilton, Franklin	Dumais, Russell Howard, Jr., Raymond Vadney, Herbert	Fields, Dennis LeBreche, Shari	Flanders, Donald Sylvia, Michael
	CA	ARROLL	
Comeau, Ed Nelson, Bill	Cordelli, Glenn Schmidt, Stephen	McCarthy, Frank Umberger, Karen	McConkey, Mark Wright, Ted
	CH	IESHIRE	
Eaton, Daniel	Hunt, John	McConnell, James	Roberts, Kris
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	GI	RAFTON	
Gionet, Edmond	Hull, Robert	Ingbretson, Paul	Johnson, Eric
	HILLS	SBOROUGH	
Adams, Christopher Barry, Richard Christensen, Chris Ferreira, Elizabeth Gould, Linda Hogan, Edith Leishman, Peter Murotake, David Ohm, Bill Proulx, Mark Simmons, Tammy Twombly, Timothy	Ammon, Keith Belanger, James Christiansen, Lars Gagne, Larry Haefner, Robert Hopper, Gary McCarthy, Peggy Notter, Jeanine Palmer, Barry Rice, Kimberly Sullivan, Victoria Ulery, Jordan	Balcorn, John Biggie, Barbara Donovan, Daniel Goley, Jeffrey Hansen, Peter Lachance, Joseph McLean, Mark Ober, Lynne Parison, James Schleien, Eric Sweeney, Shawn Wolf, Terry	Baroody, Benjamin Burt, John Estevez, Eric Gonzalez, Carlos Hinch, Richard LeBrun, Donald Moore, Josh Ober, Russell Pellegrino, Anthony Seidel, Carl Takesian, Charlene
	MER	RRIMACK	
French, Harold Horn, Werner Martin, John Seaworth, Brian	Hess, David Kotowski, Frank McGuire, Carol	Hill, Gregory Kuch, Bill McGuire, Dan	Hoell, J.R. Long, Douglas Rice, Chip
	ROCI	KINGHAM	

Baldasaro, Alfred

DeSimone, Debra

Chase, Francis

Bates, David

Chirichiello, Brian

Devine, James

Doucette, Fred Gannon, William Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn O'Connor, John Potucek, John Thomas, Douglas Ward, Joanne

Duarte, Joe Griffin, Mary Introne, Robert Kolodziej, Walter McKinney, Betsy Osborne, Jason Rice, Frederick Tilton, Rio Webb, James Emerick, J. Tracy Harris, Jeffrey Itse, Daniel Lovejoy, Patricia McMahon, Charles Packard, Sherman Schroadter, Adam True, Chris Welch, David Friel, William Hodgdon, Bruce Kappler, Lawrence Major, Norman Nigrello, Robert Peckham, Michele Spillane, James Vose, Michael Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Graham, Robert Kaczynski, Jr., Thomas Wuelper, Kurt Bickford, David Gray, James Leeman, Don Cheney, Catherine Horrigan, Timothy Pitre, Joseph DeLemus, Susan Jones, Laura Turcotte, Leonard

SULLIVAN

Smith, Steven

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Fraser, Valerie

Spanos, Peter

CARROLL

ROLL

Parker, Harold

Avellani, Lino Ticehurst, Susan Buco, Thomas

Butler, Edward

CHESHIRE

Abbott, Michael Chase, Cynthia Pearson, William Tatro, Bruce Ames, Richard Johnsen, Gladys Robertson, Timothy Tilton, Benjamin Berch, Paul Ley, Douglas Sad, Tara Weber, Lucy Bordenet, John Mann, John Shepardson, Marjorie

COOS

Fothergill, John Thomas, Yvonne Hatch, William Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Piper, Wendy White, Andrew Almy, Susan Ford, Susan Ladd, Rick Smith, Suzanne

Beaulieu, Jane

Bailey, Brad Hennessey, Erin Maes, Kevin Sykes, George Cooney, Mary Hennessey, Martha Massimilla, Linda Townsend, Charles

HILLSBOROUGH

Backus, Robert Byron, Frank Cornell, Patricia Edelblut, Frank Griffin, Barbara Harvey, Suzanne Jeudy, Jean Marston, Dick Peterson, Ken Rosenwald, Cindy Shaw, Barbara Soucy, Timothy Williams, Kermit

Christie, Rick
Cote, David
Edwards, Elizabeth
Guerette, C. Lee
Heath, Mary
Long, Patrick
McNamara, Richard
Pierce, David
Rouillard, Claire
Smith, Gregory
Sullivan, Daniel

Boehm, Ralph Coffey, James Danielson, David Freitas, Mary Halstead, Carolyn Herbert, Christopher Mangipudi, Latha Murphy, Keith Porter, Marjorie Sanborn, Laurie Smith, Timothy Vann, Ivy Brown, Pamela Cohen, Alan Eastman, Eric Gorman, Mary Hansberry, Daniel Jack, Martin Manley, Jonathan O'Brien, Michael Roberts, Carol Shattuck, Gilman Snow, Kendall Walsh, Robert

MERRIMACK

	171	DIMINIACI	
Alicea, Caroletta Deloge, Helen French, Barbara Karrick, David Marple, Richard Schuett, Dianne	Bartlett, Christy Doherty, David Gile, Mary Kenison, Linda Myler, Mel Shurtleff, Stephen	Bradley, Paula Ebel, Karen Henle, Paul Luneau, David Ratzki, Mario Turcotte, Alan	Carson, Clyde Frazer, June Hirsch, Geoffrey MacKay, James Saunderson, George Wheeler, Deborah

ROCKINGHAM

	NOCK	INGHAM	
Abramson, Max Cahill, Michael DiFranco, Debbie Green, Dennis Pantelakos, Laura Ward, Gerald	Barnes, Arthur Cali-Pitts, Jacqueline Ferrante, Beverly Heffron, Frank Prudhomme-O'Brien, Katherine	Berrien, Skip Cook, Allen Francese, Paula McBeath, Rebecca Simpson, Alexis	Borden, David Cushing, Robert Gordon, Pamela Milz, David Sytek, John

STRAFFORD

Bixby, Peter	Burton, Wayne
Hannon, Joseph	Kaen, Naida
Southworth, Thomas	Spang, Judith
Treleaven, Susan	Wall, Janet
	Hannon, Joseph Southworth, Thomas

SULLIVAN

Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia Schmidt, Andrew	Gagnon, Raymond Laware, Thomas	Gottling, Suzanne Oxenham, Lee
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and the majority committee amendment failed.

Rep. Almy offered minority committee amendment (0830h).

Minority Amendment (0830h)

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone Utilities. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Telecommunications Poles and Conduits. The value of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities, as defined in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, or commercial mobile radio services for purposes of tax assessment against said entity, shall be determined by the following formula: the Replacement Cost New (RCN) of the telecommunications pole or conduit, less depreciation calculated on a straightline basis for a period of 40 years with a residual value of 20 percent. On or before July 1 of the tax year, the department of revenue administration shall provide to every municipality a schedule of telecommunications pole and conduit RCN, using national published telecommunications standard cost data guides calculated annually using a 5-year rolling average.

3 New Section; Taxable Property; Inventory; Telecommunications Poles and Conduits. Amend RSA 74 by inserting after section 18 the following new section:

74:19 Inventories of Telecommunications Poles and Conduits.

I. In order to properly determine the value of property under RSA 72:8-c, an inventory of telecommunications poles and conduits shall be filed with the department of revenue administration and with the municipality where the property is located by each owner of telecommunications poles and conduits. Each form shall at a minimum include the following information:

- (a) Names and addresses of a contact person if the owner is a trust or corporation.
- (b) Detailed description of the telecommunication poles using most recent readily available information held by the owner.
- (c) Description of conduits using most recent readily available information held by the owner.
- (d) The filer's dated signature certifying that the information indicated on the form is true.

- II. The inventory of telecommunications poles and conduits required by this section shall be filed with the department of revenue administration and with the municipality where the property is located by the owner of telecommunications poles and conduits no later than July 1. Persons required to file the inventory of telecommunications poles and conduits who willfully fail to file or willfully make false statements on the forms shall be guilty of a violation.
- III. Any person or corporation required to file an inventory of telecommunications poles and conduits shall be subject to the provisions of RSA 74:12.
 - 4 Reference Change. Amend RSA 75:1 to read as follows:
- 75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, qualifying chartered public school property appraised under RSA 79-H, residential rental property subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, telecommunications poles and conduits pursuant to RSA 72:8-c, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.
- 5 New Subparagraph; Assessing Standards Board; Rulemaking; Poles and Conduit. Amend RSA 21-J:14-b, I-a by inserting after subparagraph (d) the following new subparagraph:
- (e) The annual determination of a schedule of telecommunications pole and conduit current use values pursuant to RSA 72:8-c, and the local use thereof. Such schedule shall include the appropriate total depreciation based on actual age of poles and conduit.
 - 6 Assessing Standards Board; Public Forum. Amend RSA 21-J:14-b, II to read as follows:
- II. All standards and practices developed or identified by the board, pursuant to this section, shall be reviewed and updated annually. The board shall hold at least one public forum annually to receive general comment through verbal and written testimony on assessing standards and practices, and one public forum dedicated to the annual determination of telecommunications pole and conduit values. A quorum of the board shall not be required to hold such public forum.
 - 7 Effective Date. This act shall take effect upon its passage.

Ticehurst, Susan

Schmidt, Stephen

AMENDED ANALYSIS

This bill establishes the valuation for purposes of the property tax assessment of poles or conduit employed in the transmission of telecommunication owned in whole or in part by telephone utilities. The bill also grants rulemaking authority to the assessing standards board concerning telecommunications pole and conduit current use values and depreciation.

Rep. Abrami spoke in favor and yielded to questions.

Rep. Almy spoke in favor and requested a roll call; sufficiently seconded.

YEAS 283 NAYS 31

YEAS - 283 RELKNAP

		DELINIAL	
Dumais, Russell Gallagher, Brian Sylvia, Michael	Fields, Dennis Hurt, George Tilton, Franklin	Flanders, Donald LeBreche, Shari Vadney, Herbert	Fraser, Valerie Russell, David
		CARROLL	
Buco, Thomas McCarthy, Frank	Butler, Edward McConkey, Mark	Comeau, Ed Nelson, Bill Umberger, Karen	Cordelli, Glenn Parker, Harold Wright, Ted

CHESHIRE

Abbott, Michael Chase, Cynthia Mann, John Robertson, Timothy Tilton, Benjamin Ames, Richard Eaton, Daniel McConnell, James Sad, Tara Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William Shepardson, Marjorie Bordenet, John Ley, Douglas Roberts, Kris Tatro, Bruce

COOS

Fothergill, John Rideout, Leon

Hatch, William Theberge, Robert Moynihan, Wayne Tholl, John

Richardson, Herbert Thomas, Yvonne

GRAFTON

Abel, Richard Ford, Susan Ingbretson, Paul Massimilla, Linda Townsend, Charles Almy, Susan Gionet, Edmond Johnson, Eric Piper, Wendy White, Andrew Cooney, Mary Hennessey, Martha Ladd, Rick Smith, Suzanne

Darrow, Stephen Higgins, Patricia Maes, Kevin Sykes, George

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Biggie, Barbara Christensen, Chris Cohen, Alan Donovan, Daniel Ferreira, Elizabeth Gonzalez, Carlos Guerette, C. Lee Harvey, Suzanne Hogan, Edith Lachance, Joseph Mangipudi, Latha McLean, Mark O'Brien, Michael Pellegrino, Anthony Prouix, Mark Seidel, Carl Smith, Timothy Sullivan, Victoria Walsh, Robert

Ammon, Keith Barry, Richard Boehm, Ralph Christiansen, Lars Cornell, Patricia Edelblut, Frank Freitas, Mary Gorman, Mary Haefner, Robert Heath, Mary Hopper, Gary LeBrun, Donald Manley, Jonathan McNamara, Richard Ohm, Bill Peterson, Ken Roberts, Carol Shattuck, Gilman Snow, Kendall Takesian, Charlene Williams, Kermit

Backus, Robert Beaulieu, Jane Brown, Pamela Christie, Rick Cote. David Edwards, Elizabeth Gagne, Larry Gould, Linda Hansberry, Daniel Herbert, Christopher Jack, Martin Leishman, Peter Marston, Dick Moore, Josh Palmer, Barry Pierce, David Rosenwald, Cindy Shaw, Barbara Soucy, Timothy Twombly, Timothy Wolf, Terry

Balcom, John Belanger, James Byron, Frank Coffey, James Danielson, David Estevez, Eric Goley, Jeffrey Griffin, Barbara Hansen, Peter Hinch, Richard Jeudy, Jean Long, Patrick McCarthy, Peggy Murotake, David Parison, James Porter, Mariorie Rouillard, Claire Smith, Gregory Sullivan, Daniel Vann, Ivv

MERRIMACK

Alicea, Caroletta Deloge, Helen French, Harold Hill, Gregory Kenison, Linda Luneau, David McGuire, Dan Saunderson, George Turcotte, Alan Bartlett, Christy Doherty, David Gile, Mary Hirsch, Geoffrey Kotowski, Frank MacKay, James Myler, Mel Schuett, Dianne Wheeler, Deborah

Bradley, Paula Ebel, Karen Henle, Paul Horn, Werner Kuch, Bill Martin, John Ratzki, Mario Seaworth, Brian Carson, Clyde French, Barbara Hess, David Karrick, David Long, Douglas McGuire, Carol Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cali-Pitts, Jacqueline Christie, Andrew Abramson, Max Borden, David Cardon, G. Thomas Cook, Allen Azarian, Gary Bush, Carol Chase, Francis Cushing, Robert Bames, Arthur Cahill, Michael Chirichiello, Brian Dean-Bailey, Yvonne DeSimone, Debra Duarte, Joe Friel, William Griffin, Mary Hoelzel, Kathleen Lovejoy, Patricia McKinney, Betsy O'Connor, John Peckham, Michele Simpson, Alexis Tilton, Rio Ward, Joanne

Devine, James Emerick, J. Tracy Gannon, William Harris, Jeffrey Introne, Robert Major, Norman McMahon, Charles Osborne, Jason Potucek, John Spillane, James True, Chris Webb, James

DiFranco, Debbie Ferrante, Beverly Gordon, Pamela Heffron, Frank Itse. Daniel Matthews, Carolyn Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine

Sytek, John

Vose, Michael

Welch, David

Doucette, Fred Francese, Paula Green, Dennis Hodgdon, Bruce Katsakiores, Phyllis McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Schroadter, Adam Thomas, Douglas Ward, Gerald Weyler, Kenneth

STRAFFORD

Baber, William Bixby, Peter Graham, Robert Kaczynski, Jr., Thomas Schmidt, Peter Stevens, Audrey Wuelper, Kurt

Beaudoin, Steven Burton, Wayne Gray, James Kaen, Naida Southworth, Thomas Treleaven, Susan

Berube, Roger Cheney, Catherine Hannon, Joseph Leeman, Don Spang, Judith Turcotte, Leonard

Bickford, David DiSesa, Len Jones, Laura Pitre, Joseph Sprague, Dale Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Schmidt, Andrew Converse, Larry Irwin, Virginia Smith, Steven

Gagnon, Raymond Oxenham, Lee

Gottling, Suzanne Rollins, Skip

NAYS - 31 BELKNAP

Aldrich, Glen

Howard, Jr., Raymond

Spanos, Peter

CARROLL

Avellani, Lino

CHESHIRE

Hunt, John

GRAFTON

Bailey, Brad

Hennessey, Erin

Hull, Robert

HILLSBOROUGH

Burt, John Notter, Jeanine Simmons, Tammy Eastman, Eric Rice, Kimberly Sweeney, Shawn Halstead, Carolyn Sanborn, Laurie Ulery, Jordan

Murphy, Keith Schleien, Eric

MERRIMACK

Frazer, June

Hoell, J.R.

Marple, Richard

ROCKINGHAM

Baldasaro, Alfred Rice, Frederick

Bates. David

Kappler, Lawrence

Kolodziej, Walter

STRAFFORD

Groen, Warren

Horrigan, Timothy

Mullen, John

SULLIVAN

Laware, Thomas

and the minority committee amendment was adopted.

Rep. Cooney offered floor amendment (0956h).

Floor Amendment (0956h)

Amend the bill by inserting after section 6 the following, and renumbering the original section 7 as section 8:

7 Applicability; Valuation of Telecommunications Poles and Conduits. With respect to poles or conduits that are the subject of any action for abatement under RSA 76 or any appeal under RSA 76:16-a or 76:17 that remains pending as of the effective date of this act, the provisions of RSA 72:8-c as inserted by section 2 of this act shall apply only after all such actions, including all associated claims relative to the taxation of the poles and conduits, have been withdrawn or voluntarily dismissed with prejudice.

Rep. Byron spoke in favor.

Rep. Abrami spoke against and yielded to questions.

Rep. Almy requested a roll call; sufficiently seconded.

YEAS 112 NAYS 202

YEAS - 112 CADDOLL

	(CARROLL	
Buco, Thomas	Butler, Edward	Parker, Harold	Ticehurst, Susan
	(CHESHIRE	
Berch, Paul Mann, John Sad, Tara	Chase, Cynthia Pearson, William Tatro, Bruce	Johnsen, Gladys Roberts, Kris Tilton, Benjamin	Ley, Douglas Robertson, Timothy Weber, Lucy
		COOS	
Fothergill, John Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Theberge, Robert
	(GRAFTON	
Almy, Susan Higgins, Patricia Smith, Suzanne Ammon, Keith Byron, Frank Freitas, Mary Hansberry, Daniel Jeudy, Jean O'Brien, Michael Rosenwald, Cindy Soucy, Timothy Walsh, Robert	Cooney, Mary Ladd, Rick Sykes, George HILI Backus, Robert Cohen, Alan Gorman, Mary Harvey, Suzanne Lachance, Joseph Pellegrino, Anthony Shaw, Barbara Sullivan, Daniel Williams, Kermit	Ford, Susan Maes, Kevin Townsend, Charles LSBOROUGH Beaulieu, Jane Cornell, Patricia Griffin, Barbara Heath, Mary Long, Patrick Pierce, David Smith, Timothy Twombly, Timothy	Gionet, Edmond Massimilla, Linda White, Andrew Belanger, James Cote, David Guerette, C. Lee Herbert, Christopher Mangipudi, Latha Porter, Marjorie Snow, Kendall Vann, Ivy
	ME	CRRIMACK	
Alicea, Caroletta Doherty, David Gile, Mary Kenison, Linda Schuett, Dianne Wheeler, Deborah	Bradley, Paula Ebel, Karen Henle, Paul McGuire, Carol Seaworth, Brian	Carson, Clyde Frazer, June Hirsch, Geoffrey Ratzki, Mario Shurtleff, Stephen	Deloge, Helen French, Barbara Karrick, David Saunderson, George Turcotte, Alan

ROCKINGHAM

Berrien, Skip DiFranco, Debbie Sytek, John	Cahill, Michael Emerick, J. Tracy Ward, Gerald	Chase, Francis Ferrante, Beverly	Cushing, Robert Pantelakos, Laura
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STRAFFORD Spang, Judith DiSesa, Len Bixby, Peter Berube, Roger Wall, Janet Treleaven, Susan Stevens, Audrey Sprague, Dale Wuelper, Kurt SULLIVAN Grenier, James Gottling, Suzanne Gagnon, Raymond Cloutier, John Oxenham, Lee **NAYS - 202** BELKNAP Flanders, Donald Fields, Dennis Dumais, Russell Aldrich, Glen Hurt, George Howard, Jr., Raymond Gallagher, Brian Fraser, Valerie Sylvia, Michael Spanos, Peter Russell, David LeBreche, Shari Vadney, Herbert Tilton, Franklin CARROLL McCarthy, Frank Cordelli, Glenn Comeau, Ed Avellani, Lino Umberger, Karen Schmidt, Stephen Nelson, Bill McConkey, Mark Wright, Ted CHESHIRE Eaton, Daniel Bordenet, John Ames, Richard Abbott, Michael Shepardson, Marjorie McConnell, James Hunt, John COOS Tholl, John Rideout, Leon Richardson, Herbert GRAFTON Hennessey, Erin Darrow, Stephen Bailey, Brad Abel, Richard Johnson, Eric Ingbretson, Paul Hull, Robert Hennessey, Martha Piper, Wendy HILLSBOROUGH Barry, Richard Baroody, Benjamin Balcom, John Adams, Christopher Burt, John Brown, Pamela Boehm, Ralph Biggie, Barbara Coffey, James Christie, Rick Christiansen, Lars Christensen, Chris Edelblut, Frank Eastman, Eric Donovan, Daniel Danielson, David Gagne, Larry Ferreira, Elizabeth Estevez, Eric Edwards, Elizabeth Haefner, Robert Gould, Linda Gonzalez, Carlos Goley, Jeffrey Hogan, Edith Hinch, Richard Hansen, Peter Halstead, Carolyn Leishman, Peter LeBrun, Donald Jack, Martin Hopper, Gary McLean, Mark McCarthy, Peggy Marston, Dick Manley, Jonathan Murphy, Keith Murotake, David Moore, Josh McNamara, Richard Parison, James Palmer, Barry Ohm, Bill

MERRIMACK

French, Harold Bartlett, Christy Horn, Werner Hoell, J.R. Luneau, David Long, Douglas McGuire, Dan Martin, John

Proulx, Mark

Sanborn, Laurie

Simmons, Tammy

Takesian, Charlene

Notter, Jeanine

Peterson, Ken

Rowe, Robert

Shattuck, Gilman

Sweeney, Shawn

Hess. David Kotowski, Frank MacKay, James Myler, Mel

Rice, Kimberly

Schleien, Eric

Ulery, Jordan

Smith, Gregory

Hill, Gregory Kuch, Bill Marple, Richard Rice, Chip

Rouillard, Claire

Sullivan, Victoria

Seidel, Carl

Wolf, Terry

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Cali-Pitts, Jacqueline Cook, Allen Doucette, Fred Gannon, William Harris, Jeffrey Introne, Robert Kolodziei, Walter McBeath, Rebecca Nigrello, Robert Peckham, Michele Schroadter, Adam Tilton, Rio Webb, James

Abramson, Max Bates, David Cardon, G. Thomas Dean-Bailey, Yvonne Duarte, Joe Gordon, Pamela Heffron, Frank Itse. Daniel Lovejoy, Patricia McKinney, Betsy O'Connor, John Potucek, John Simpson, Alexis True, Chris Welch, David

Azarian, Gary Borden, David Chirichiello, Brian DeSimone, Debra Francese, Paula Green, Dennis Hodgdon, Bruce Kappler, Lawrence Major, Norman McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Spillane, James Vose, Michael Weyler, Kenneth

Baldasaro, Alfred Bush, Carol Christie, Andrew Devine, James Friel, William Griffin, Mary Hoelzel, Kathleen Katsakiores, Phyllis Matthews, Carolyn Milz, David Packard, Sherman Rice, Frederick Thomas, Douglas Ward, Joanne

STRAFFORD

Baber, William Cheney, Catherine Hannon, Joseph Kaen, Naida Schmidt, Peter

Beaudoin, Steven Graham, Robert Horrigan, Timothy Leeman, Don Southworth, Thomas

Minority committee report adopted and ordered to third reading.

Bickford, David Gray, James Jones, Laura Mullen, John Turcotte, Leonard

Laware, Thomas

Groen, Warren Kaczynski, Jr., Thomas Pitre, Joseph

Rollins, Skip

Burton, Wayne

SULLIVAN

Converse, Larry Irwin, Virginia Schmidt, Andrew

Smith, Steven and floor amendment (0956h) failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Rep. Kappler requested a roll call; not sufficiently seconded.

HB 1247, relative to permitted gambling by private individuals. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Jordan Ulery for the Majority of Ways and Means. The original bill was too open and it was amended in committee. In 2013, Ways and Means retained and then amended and unanimously passed HB 459, which was in turn passed by the House in early 2014. That bill then stalled in the process. The amendment to HB 1247 is the previously passed HB 459 as amended. Currently NH law creates criminals of homeowners and their guests who happen to gather for an evening of recreational poker. Enforcement is done on a completely subjective basis. The committee report on HB 459 stated, "This [amended] bill legalizes home poker games as long as the "house" takes no rake, no admission can be charged, odds can't favor any [single] player, there is not a house bank and the games cannot be advertised to the public." If HB 1247 as amended passes, privacy and rights of every person in the state are protected. The state can no longer subjectively criminalize what is essentially recreational behavior of New Hampshire residents in their own homes (including many senior members of law enforcement and the judiciary). Vote 13-6. Rep. David Hess for the Minority of Ways and Means. This bill as amended is a solution looking for a problem. Despite allegations of potential selective enforcement of current law, the committee received no such evidence. Moreover, as amended the bill creates a massive loophole for unlimited gambling. There are no limits on the amount that may be bet on one evening, one game, or even one hand. There is no definition of what constitutes "poker games." There is no provision which prevents a "host" or third party from making money from concessions on ancillary services provided at the same location to game players. There is no definition as to what "not advertised to the public" means. In short, the amendment is literally a sieve for unintended consequences, and is most certainly the opening round of a slippery slope leading to expanded, unregulated gambling completely bereft of legislative or administrative regulation and oversight. Finally, the amendment received no public hearing, no public input nor meaningful discussion and analysis by and within the Ways and Means Committee.

Majority Amendment (0443h)

Amend the title of the bill to read as follows:

AN ACT relative to poker in private residences.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Poker in Private Residences. Amend RSA 647:2, V by inserting after

subparagraph (c) the following new subparagraph:

(d) Poker games held in a private residence so long as there is no rake, the house takes no compensation from the prize pool, no admission fee or seat fee is charged, no one receives any money or anything of value for conducting the game except their own winnings as a player, the game's odds do not favor a "house" or any player, there is no house bank, and the game is not advertised to the public.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows the playing of poker games in a private residence.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1360-FN, establishing a credit against business profits taxes for media production expenditures in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Gary Azarian for Ways and Means. This bill calls for a tax credit for media productions filmed in New Hampshire. The committee has heard this proposal in the past and there is no change in this bill as introduced. While such tax credits may work in other states, there would be no offset to business tax revenue lost due lack of an income or sales tax in New Hampshire. The committee strongly objected to the provision that allowed these tax credits to be sold to other companies for their use. If a film is made in NH and creates no profits, no Business Profits Tax is generated. However, a profitable company who purchased the tax credits can utilize them and thus the result is a loss in revenue to the state. The result is all loss to the state and no gain, which is not acceptable. The committee recommended that the sponsor seek to present the proposed tax credit model to an existing study commission that has a reporting date of November 1, 2016 (Chapter 122, Laws of 2015). Any further study findings could be duly considered after the completion of that study. Vote 20-1.

MOTION TO LAY ON THE TABLE

Rep. Azarian moved that **HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire, be laid on the table.

On a division vote, with 227 members having voted in the affirmative, and 79 in the negative, the

motion was adopted.

REGULAR CALENDAR CONT'D

HB 1443-FN, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. Patrick Abrami for the Majority of Ways and Means. This bill attempts to roll back a bill passed back in 2011 that resolved the issue of burden of proof related to reasonable compensation for Limited Liability Companies (LLCs). Back in 2011, SB 125 passed the Senate 24-0 and passed the House 340-9 (Ch. 207, Laws of 2011). That bill placed the burden of disapproving the compensation deduction with the Department of Revenue Administration as opposed to the taxpayer proving the compensation deduction. This current bill places the burden of proof back on the taxpayer. SB 125 provided a comprehensive clarification supported by the business community in response to overly aggressive audits. The main argument for this current bill is that business tax revenues have suffered. Given that the business tax revenues are surpassing everyone's estimates this year and have steadily rebounded from 2011 levels, there is no evidence that this argument can be utilized. The business community does not support a reversal back to the pre-2011 approach which everyone recognized as being fraught with problems. The majority of Ways and Means concurred with the view that this approach has been working well and that there is no reason to revert back. Vote 11-8.

Rep. Susan Almy for the Minority of Ways and Means. What do you call it when a taxpayer, knowing he owes a certain amount of tax, manipulates his return to hide the profits he is being taxed on? Tax fraud? What do you call it when a law is passed to let him do that without any fear of being caught by audit? Enabling tax fraud? We have such a law, passed in 2011, which provides this special dispensation to any non-incorporated business that wishes to use it. This law reversed the burden of proof doctrine. Instead of the taxpayer having to prove upon audit that what they reported as compensation was reasonable, now the burden of proof is on the state to prove it is unreasonable. To make matters worse the only way the state auditors have access to the records they would need is to subpoena the records; so effectively the Department of Revenue Administration no longer audits the amount claimed as compensation. A corporate hedge fund manager's salary is declared to the federal government and deducted with other costs from the firm's profits before Business Profits Tax (BPT) is paid. An unincorporated hedge fund firm can declare all of its profits as the earned income of the owner, and there is nothing to tax. Some businesses may think we have changed the law to allow partnerships and proprietorships to no longer pay BPT; but if we had done that, there would be a well-justified lawsuit by corporate filers. This unequal and unprecedented treatment has caused massive losses: \$1.3 billion of new earned income was declared in the first year it could not be audited, or over \$100 million in tax revenue lost. This hurts the honest business owners, leaving them less competitive. It enables businesses to avoid any kind of audit changes; some have told the auditors that if the audit changes another part of their filing, they will simply restate the filing to show the reported expense as earned income, and untaxable. It hurts our state, which has lost significant revenue it could have put into the rainy day fund, opioid treatment, the lawsuits we have had to settle, or other legislative priorities. No other state, and no other New Hampshire tax, has this backward burden of proof doctrine. The law needs to be repealed. This is the only bill to date that our esteemed and apolitical Revenue Commissioner has supported or opposed, because reversing burden of proof undermines the very existence of a tax system. The other two sections clarify, in the businesses' favor, a minor issue in auditing, and provide for putting into administrative rules some of the many procedures the department has adopted in recent years to prevent future over-auditing.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Lovejoy spoke against.

Rep. Abrami spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 180 NAYS 131

YEAS - 180 BELKNAP

	_	ATTACKT AT ET	
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Russell, David Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael
	C	CARROLL	
Avellani, Lino McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Glenn Parker, Harold	McCarthy, Frank Schmidt, Stephen
Hunt, John	C McConnell, James	HESHIRE Tilton, Benjamin	
	out of the same of	COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	G	RAFTON	
Bailey, Brad Hull, Robert Piper, Wendy	Darrow, Stephen Ingbretson, Paul	Gionet, Edmond Johnson, Eric	Hennessey, Erin Ladd, Rick

HILLSBOROUGH

Balcom, John Ammon, Keith Biggie, Barbara Belanger, James Byron, Frank Burt, John Coffey, James Christie. Rick Edelblut, Frank Eastman, Eric Gagne, Larry Ferreira, Elizabeth Halstead, Carolyn Haefner, Robert Infantine, William Hopper, Gary McLean, Mark McCarthy, Peggy Notter, Jeanine Murphy, Keith Pellegrino, Anthony Parison, James Rouillard, Claire Rice, Kimberly Seidel, Carl Schleien, Eric Sweeney, Shawn Sullivan, Victoria Wolf, Terry Ulery, Jordan

Barry, Richard Boehm, Ralph Christensen, Chris Danielson, David Edwards, Elizabeth Gonzalez, Carlos Hansen, Peter Lachance, Joseph Moore, Josh Ohm, Bill Peterson, Ken Rowe, Robert Simmons, Tammy Takesian, Charlene Beaulieu, Jane Bouldin, Amanda Christiansen, Lars Donovan, Daniel Estevez, Eric Gould, Linda Hinch, Richard LeBrun, Donald Murotake, David Palmer, Barry Proulx, Mark Sanborn, Laurie Smith, Gregory Twombly, Timothy

MERRIMACK

Hess, David Kotowski, Frank McGuire, Carol

Hill, Gregory Kuch, Bill McGuire, Dan

Hoell, J.R. Marple, Richard Seaworth, Brian Horn, Werner Martin, John

ROCKINGHAM

Abrami, Patrick Bates, David Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy O'Connor, John Potucek, John Spillane, James True. Chris Welch, David

Abramson, Max Bush, Carol Christie, Andrew Devine, James Ferrante, Beverly Griffin, Mary Introne, Robert Kolodziei, Walter McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Svtek, John

Vose, Michael Weyler, Kenneth Azarian, Garv Cardon, G. Thomas Cook, Allen Doucette, Fred Friel, William Harris, Jeffrey Itse. Daniel Major, Norman Milz. David Packard, Sherman Rice, Frederick Thomas, Douglas Ward, Joanne

Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tilton, Rio Webb, James

STRAFFORD

Beaudoin, Steven Grav. James Kaczynski, Jr., Thomas Sprague, Dale

Bickford, David Groen, Warren Leeman, Don Turcotte, Leonard Cheney, Catherine Hannon, Joseph Mullen, John Wuelper, Kurt

Graham, Robert Jones, Laura Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 131 CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie Ames, Richard Johnsen, Gladys Roberts, Kris Tatro, Bruce

Berch, Paul Ley, Douglas Robertson, Timothy Weber, Lucy

Bordenet, John Mann, John Sad, Tara

COOS

Fothergill, John Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Theberge, Robert
	(GRAFTON	
Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew
	HILI	LSBOROUGH	
Backus, Robert	Baroody, Benjamin	Brown, Pamela	Cohen, Alan
Cornell, Patricia	Cote, David	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	Marston, Dick	McNamara, Richard
O'Brien, Michael	Pierce, David	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit		,,,
	ME	RRIMACK	
Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Myler, Mel
Rice, Chip	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wheeler, Deborah		ondraon, otophen
	ROC	CKINGHAM	
Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Pantelakos, Laura	Simpson, Alexis	Ward, Gerald	Modean, Nebecca
	ST	RAFFORD	
Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Wall, Janet		, - 100107	Hologron, Gusan
	SI	JLLIVAN	
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Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia		
,		Oxenham, Lee	Schmidt, Andrew
and the majority co	mmittee report was ad	opted.	

CACR 16, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Daniel Itse for the Majority of Children and Family Law. This constitutional amendment makes parental rights, which our state supreme court has recognized as implicit in Part I, Article 2, explicit in a separate Part I, Article 2-b. Though these rights are implicit in Part I, Article 2, this legislature, the executive and even the judicial branches have all too often failed to recognize them. Therefore, the people ought to have the opportunity to make their parental rights explicit in our constitution, just as they made their right to keep and bear arms explicit in 1984 for the same reasons. This amendment would not prevent the state from intervening in cases of abuse or neglect, just as our right to liberty does not prevent being put in jail for a crime. Vote 8-5.

Rep. Skip Berrien for the Minority of Children and Family Law. The United States and New Hampshire Supreme Courts have consistently recognized the natural rights of parents to raise their children. This constitutional amendment presents unintended consequences regarding the rights of parents and the best interest of children. RSA 461-A establishes the best interest of the child in parents' rights and responsibility divorce court orders when parents cannot agree. This constitutional amendment will cause confusion at the expense of children. This amendment erodes protections (RSA 173-B) for victims and children in domestic violence. Protection of children in child abuse and neglect proceedings (RSA 169-C) would be jeopardized by this amendment. The House has previously defeated this amendment on four occasions.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Patrick Long spoke against and yielded to questions.

Rep. Itse spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 174 NAYS 136

	YE	CAS - 174	
	BE	ELKNAP	
Aldrich, Glen Gallagher, Brian Russell, David Vadney, Herbert	Dumais, Russell Howard, Jr., Raymond Spanos, Peter	Fields, Dennis Hurt, George Sylvia, Michael	Fraser, Valerie LeBreche, Shari Tilton, Franklin
,,	CA	ARROLL	
Avellani, Lino McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Glenn Parker, Harold	McCarthy, Frank Schmidt, Stephen
	CH	HESHIRE	
Hunt, John	McConnell, James		
		COOS	
Richardson, Herbert	Rideout, Leon	Tholi, John	
	G	RAFTON	
Bailey, Brad Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Gionet, Edmond Ladd, Rick	Hull, Robert
	HILL	SBOROUGH	
Adams, Christopher Belanger, James Byron, Frank Coffey, James Edelblut, Frank Gidge, Kenneth Haefner, Robert	Ammon, Keith Biggie, Barbara Christensen, Chris Danielson, David Estevez, Eric Gonzalez, Carlos Halstead, Carolyn	Balcom, John Boehm, Ralph Christiansen, Lars Donovan, Daniel Ferreira, Elizabeth Gould, Linda Hansen, Peter	Barry, Richard Burt, John Christie, Rick Eastman, Eric Gagne, Larry Griffin, Barbara Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Lachance, Joseph

Wolf, Terry Ulery, Jordan MERRIMACK

Marston, Dick

Murotake, David

Parison, James

Rice, Kimberly

Schleien, Eric

Sullivan, Victoria

Hogan, Edith

Moore, Josh

Proulx, Mark

Sanborn, Laurie

Smith, Gregory

Ohm. Bill

LeBrun, Donald

Horn, Werner Hoell, J.R. Hill, Gregory French, Harold Martin, John Kuch, Bill Marple, Richard Kotowski, Frank Seaworth, Brian Rice, Chip McGuire, Dan McGuire, Carol

McCarthy, Peggy

Rouillard, Claire

Sweeney, Shawn

Seidel, Carl

Pellegrino, Anthony

Murphy, Keith

McLean, Mark

Notter, Jeanine

Peterson, Ken

Rowe, Robert

Simmons, Tammy

Twombly, Timothy

ROCKINGHAM

Abrami, Patrick Abramson, Max Bates, David Bush, Carol Christie, Andrew Cook, Allen Devine, James Doucette, Fred Ferrante, Beverly Friel, William Griffin, Mary Harris, Jeffrey Introne, Robert Itse, Daniel Kolodziej, Walter Major, Norman McMahon, Charles Milz, David Osborne, Jason Packard, Sherman Prudhomme-O'Brien, Katherine Rice, Frederick Sytek, John Thomas, Douglas Vose, Michael Webb, James

Baldasaro, Alfred Chase, Francis Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tilton, Rio Welch, David

Barnes, Arthur Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Green, Dennis Hoelzel, Kathleen Katsakiores, Phyllis McKinney, Betsy O'Connor, John Potucek, John Spillane, James True, Chris Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Turcotte, Leonard

Bickford, David Groen, Warren Leeman, Don Wuelper, Kurt Cheney, Catherine Hannon, Joseph Mullen, John

Graham, Robert Jones, Laura Pitre, Joseph

Laware, Thomas Rollins, Skip

SULLIVAN
Smith, Steven

NAYS - 136 BELKNAP

Flanders, Donald

CARROLL

CHESHIRE

Buco, Thomas

Butler, Edward Ticehurst, Susan

Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie Ames, Richard Johnsen, Gladys Roberts, Kris Tilton, Benjamin

Berch, Paul Ley, Douglas Robertson, Timothy Weber, Lucy

Bordenet, John Mann, John Sad, Tara

COOS

Fothergill, John

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Hennessey, Erin Massimilla, Linda Townsend, Charles

Almy, Susan Hennessey, Martha Piper, Wendy White, Andrew Cooney, Mary Higgins, Patricia Smith, Suzanne

Ford, Susan Maes, Kevin Sykes, George

HILLSBOROUGH

Backus, Robert Cohen, Alan Goley, Jeffrey Harvey, Suzanne Jeudy, Jean Manley, Jonathan Pierce, David Shattuck, Gilman Soucy, Timothy Walsh, Robert Baroody, Benjamin Cornell, Patricia Gorman, Mary Heath, Mary Leishman, Peter McNamara, Richard Porter, Marjorie Shaw, Barbara Sullivan, Daniel Beaulieu, Jane Cote, David Guerette, C. Lee Herbert, Christopher Long, Patrick O'Brien, Michael Roberts, Carol Smith, Timothy Takesian, Charlene Brown, Pamela Freitas, Mary Hansberry, Daniel Jack, Martin Mangipudi, Latha Palmer, Barry Rosenwald, Cindy Snow, Kendall Vann, Ivy

MERRIMACK

	IVAL	STATISTICAL	
Alicea, Caroletta Deloge, Helen French, Barbara Hirsch, Geoffrey MacKay, James Schuett, Dianne	Bartlett, Christy Doherty, David Gile, Mary Karrick, David Myler, Mel Shurtleff, Stephen	Bradley, Paula Ebel, Karen Henle, Paul Kenison, Linda Ratzki, Mario Turcotte, Alan	Carson, Clyde Frazer, June Hess, David Luneau, David Saunderson, George

ROCKINGHAM

Azarian, Gary Cali-Pitts, Jacqueline Francese, Paula McBeath, Rebecca Ward, Joanne	Berrien, Skip Cardon, G. Thomas Gordon, Pamela Pantelakos, Laura	Borden, David Cushing, Robert Heffron, Frank Simpson, Alexis	Cahill, Michael DiFranco, Debbie Lovejoy, Patricia Ward, Gerald
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STRAFFORD

Baber, William DiSesa, Len Smith, Marjorie Stevens, Audrey	Berube, Roger Horrigan, Timothy Southworth, Thomas Treleaven, Susan	Bixby, Peter Kaen, Naida Spang, Judith Wall, Janet	Burton, Wayne Schmidt, Peter Sprague, Dale
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SULLIVAN

Cloutier, John Converse, Lar Grenier, James Irwin, Virginia and the majority committee report for	Gagnon, Raymond Gottling, Suzar Oxenham, Lee Schmidt, Andre led lacking the necessary three-fifths vote.	
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MOTION TO LAY ON THE TABLE

Rep. Patrick Long moved that **CACR 16**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Kimberly Rice for the Majority of Children and Family Law. The majority of the committee agreed that this bill increases the cap in the child support guidelines in cases where the parents' combined income exceeds \$150,000. The bill does not make changes to the child support calculations. There is still judicial discretion if cases arise. This bill makes progress to address some long-standing concerns regarding child support issues facing New Hampshire families. Vote 9-7. Rep. Skip Berrien for the Minority of Children and Family Law. This bill is intended to make a single correction in child support statutes. The minority supports a comprehensive review of modifications to the child support statutes. In addition, the Department of Health and Human Services (DHHS) is required to undertake a review of child support allocations in 2017. This bill was created in isolation of a comprehensive process and includes formulations which appear overly complicated, potentially confusing and potentially restrictive to some children.

On a division vote, with 177 members having voted in the affirmative, and 128 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1236, relative to hearings on modifications of parental rights and responsibilities. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Paul Ingbretson for the Majority of Children and Family Law. This bill as amended provides that when the parties agree to a modification of parental rights and responsibilities, the court shall not hold a hearing on the modification unless requested by both parties. Individuals testified before the committee that their mutually agreed-upon parenting plans were arbitrarily changed by the court leading to enormous unnecessary expenses, losses to children's time with one or more of their parents, and increased conflict, none of which benefits families or children. This bill keeps un-coerced parenting agreements in the control of cooperating parents, avoiding unnecessary litigation and concomitant suffering. Vote 10-4.

Rep. Cynthia Chase for the Minority of Children and Family Law. The minority feels that the bill has the potential for serious unintended consequences. It has not been vetted with many of those who have expertise in this area. This bill is not ready for prime time.

Majority Amendment (0546h)

Amend the bill by replacing section 1 with the following:

1 Modification of Parental Rights and Responsibilities; Agreement of the Parties. Amend RSA 461-A:11, I(a) to read as follows:

(a) The parties agree to a modification. The court shall not hold a hearing on the modification if so requested by both parties, who also assert they have not been coerced.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 202 members having voted in the affirmative, and 108 in the negative, the majority committee report was adopted and ordered to third reading.

The House recessed at 5:45 p.m.

RECESS

The House reconvened at 6:40 p.m.

(Speaker Jasper in the Chair) SPECIAL ORDERED

Without objection, the Speaker made all bills without debate Special Orders as the next order of business.

HB 1238, relative to income for purposes of child support. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Kimberly Rice for the Majority of Children and Family Law. The majority of the committee concluded that putting a displaced homemaker into the child support statute as defined in the labor statute RSA 275-D: 2, I was too broad and promoted more discretion with the judge, therefore potentially creating more conflict. Vote 10-5.

Rep. Paul Ingbretson for the Minority of Children and Family Law. Our labor laws define "displaced homemaker" for the purpose of granting welfare support. This bill seeks to protect the maternal base for younger children in divorce cases by use of the same definition by reference in the child support statute. This bill was brought by the representative of a woman who was forced into the marketplace against the best interest of her minor children when her husband divorced her. Majority committee report adopted.

HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings. OUGHT TO PASS. Rep. Daniel Itse for Children and Family Law. This bill corrects a deficiency in RSA 169-B:12. Currently, the law requires the judge to write specific findings if they grant a waiver of counsel in delinquency hearings. This adds the requirement that the judge write specific findings if they deny the family's request to waive counsel, so that the family can appeal the denial. Vote 9-5. Committee report adopted and ordered to third reading.

HB 1280, relative to grounds for modification of parental rights and responsibilities. **OUGHT TO PASS.** Rep. Alethea Froburg for Children and Family Law. This bill provides for modification of a parenting order based on a change in travel time required for the parent's allocation of time, or a change in the parent's work schedule, or the age of the child. The bill also permits the court to modify a parenting order or schedule based on the relocation of a child's residence. Vote 10-1. Committee report adopted and ordered to third reading.

HB 1188, relative to the brew pub license. MAJORITY: OUGHT TO PASS. MINORITY: IN-EXPEDIENT TO LEGISLATE.

Rep. Pamela Tucker for the Majority of Commerce and Consumer Affairs. This bill adds six words to the statutes covering brew pub licensing to permit brew pubs to manufacture cider as well as beer. The processes for fermenting beer and cider are very similar and, rather than create yet another specialty license with the same verbiage, adding cider to the existing license accomplishes the same task. Vote 12-7.

Rep. Rebecca McBeath for the Minority of Commerce and Consumer Affairs. This bill authorizes NH brew pub licensees, presently only authorized to produce beer, to add cider production and sales to their business without paying for a cider manufacturing license. All other categories of liquor licensees remain required to apply and pay for the \$1,200 to \$1,692 cider manufacturer's license. The minority of the committee believes that providing this special exception to statutory requirements to brew pubs is unwarranted. In addition, the minority had concerns regarding this bill's effect of further eroding the "black lines" separating the three tiers (1) manufacturing, (2) distribution and (3) sales of New Hampshire's control of and revenue production from the sale of alcoholic beverages. Majority committee report adopted and ordered to third reading.

HB 1227, repealing provisions of law regulating Sunday business activities. OUGHT TO PASS WITH AMENDMENT.

Rep. Laurie Sanborn for Commerce and Consumer Affairs. As amended, this bill repeals outdated laws regulating business activities on Sundays and changes allowable Sunday hours for games of chance and bingo, to bring them in line with other days of the week. Vote 16-4.

Amendment (0812h)

Amend the bill by replacing section 1 with the following:

1 Repeal. RSA 332-D, relative to Sunday business activities.

AMENDED ANALYSIS

This bill repeals the law prohibiting Sunday business activities and removes differing Sunday hours for bingo and games of chance.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1339, relative to the corporate governance annual disclosure act. OUGHT TO PASS WITH AMENDMENT.

Rep. Edward Butler for Commerce and Consumer Affairs. Corporate governance is a framework of systems, policies and procedures through which an insurer provides for sound and prudent management and oversight of the insurer's business while creating security and long-term value for stakeholders and holding its board members and senior management, accountable. This National Association of Insurance Commissioners (NAIC) model law requires insurers to provide the Insurance Commissioner with an annual summary that will permit the commissioner to gain an understanding of the insurer's corporate governance framework and is required for accreditation. Vote 16-4.

Amendment (0594h)

Amend RSA 401-D:3, IV as inserted by section 1 of the bill by replacing it with the following:

IV. For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level, and/or the individual legal entity level, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations, and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the 3 criteria was used to determine the level of reporting and explain any subsequent changes in the level of reporting.

Amend RSA 401-D:5, I as inserted by section 1 of the bill by replacing it with the following:

I. The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. The commissioner may request additional information that he or she deems material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system, or controls implementing those policies.

Amend RSA 401-D:7, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants, and other experts not otherwise a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this chapter.

Amend RSA 401-D:8 as inserted by section 1 of the bill by replacing it with the following:

401-D:8 Sanctions. Any insurer failing, without just cause, to timely file the CGAD as required in this chapter shall be required, after notice and hearing, to pay a penalty of \$100 for each day's delay up to a maximum of \$2,500, to be recovered by the commissioner. The penalty so recovered shall be deposited in the general fund. The commissioner may reduce the penalty if the insurer demonstrates to the commissioner that the imposition of the penalty would constitute a financial hardship to the insurer.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1340, relative to producer licensing. MAJORITY: OUGHT TO PASS. MINORITY: INEX-PEDIENT TO LEGISLATE.

Rep. Edward Butler for the Majority of Commerce and Consumer Affairs. This is a bill that repeals certain insurance producer fees and explicitly codifies the continuing education requirement for those producers. The fees being removed are those that had been imposed for obtaining qualification and clearance letters and for paper licenses for insurance producers. The licensees may now obtain these documents on-line for free. The second portion of the bill is based on a request from the Joint Legislative Committee on Administrative Rules (JLCAR). The joint committee has asked that the statutory language that implies the long-standing requirement that insurance producers take continuing education to maintain their licenses should be stated more explicitly in the statute. Vote 12-7.

Rep. Bart Fromuth for the Minority of Commerce and Consumer Affairs. This bill was written and introduced at the request of the Insurance Department after an audit revealed they have been enforcing rules they had no authority to promulgate regarding continuing education for licensed insurance agents. To correct this "oversight" they have asked this legislature to grant them the necessary authority to legitimize and continue the practice of the last 10 years. The minority felt that passage of this bill inappropriately condones the past improper actions of the department and fails to deter such actions in the future. Further, the department testified that even though they realize that their current rule may not be legal, they continue to enforce compliance.

Majority committee report adopted and ordered to third reading.

HB 1342, prohibiting the use of certain information to underwrite insurance. INEXPEDIENT TO LEGISLATE.

Rep. John Bordenet for Commerce and Consumer Affairs. This bill makes it a discriminatory and unfair insurance trade practice to charge higher premiums for automobile and homeowners insurance based on credit rating. Current law allows the use of credit reports for such purposes if it is not the sole reason for higher premiums. This bill also prohibits insurers from requesting certain information to underwrite casualty insurance coverage. Credit scoring to determine premium rates is practiced by most insurance carriers. If we forbid the use of this tool, carriers would have to reformulate their rate structure, the Insurance Department would have to evaluate those structures, and premiums have to be adjusted upwards to cover expected returns. Vote 15-4. Committee report adopted.

HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. OUGHT TO PASS.

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill establishes a commission which will create a framework for alternative medical payments contracts. Alternative contracts that are used by an insurance company to pay for medical services are slowly evolving from the traditional fee-for-service model, but progress in New Hampshire is slow. Alternate payment methods can reduce health care costs while improving outcomes for the patients. The commission will give all stakeholder groups a say in how such contracts should be structured, rather than having a government agency impose one on them. Vote 11-6. Committee report adopted and ordered to third reading.

HB 1540-FN, relative to direct shipments of beer. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Barbara Biggie for the Majority of Commerce and Consumer Affairs. This bill addresses the distribution of beer labels requested by consumers and licensees that are not currently available through state-licensed beer distributors by utilizing direct shippers. Shippers can deliver not more than 20 barrels (approximately 610 gallons) before they must offer to sell a matching amount to a New Hampshire wholesale distributor. It is understandable that the small quantities requested may not be economically feasible to distribute, thereby the reason to pass this bill. Building interest generated in new beer labels may perhaps lead to the New Hampshire beer distributors adding them in their deliveries. This would increase beer sales and tax revenues. Vote 13-5.

Rep. Richard Abel for the Minority of Commerce and Consumer Affairs. The minority believes this bill, no matter how well intentioned, proposes an impractical approach that will not work and that creates the unintended consequence of threatening the 'three tier system' by which the New Hampshire Liquor Commission has successfully regulated alcoholic beverages in the state. Testimony heard by the committee indicated that direct shipment of beer products to licensed businesses would be so expensive that few, if any, businesses in New Hampshire would choose this option. A much better solution is available through the existing beer distributors who already distribute beer throughout the state under existing state regulation. Stakeholders including distributors and the hospitality industry are working on a system to make specialty and other beers available that are currently unavailable in New Hampshire. They should be given time to implement their solution that accords with federal and New Hampshire laws.

Majority committee report adopted and ordered to third reading.

HB 1297, relative to harm to unalienable rights of inhabitants. INEXPEDIENT TO LEGISLATE. Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill would have allowed an individual to file an affidavit of complaint of trespass against any public servant who the individual feels has wronged them, which must be prosecuted by the county attorney and which carries the effect of a prima facie case. This would create a heavy burden on the county, no matter if the public servant was a state, county or municipal employee. The committee felt that the bill was unnecessary. Vote 10-3.

Committee report adopted.

HB 1321, relative to transportation of alcoholic beverages by a minor. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. The Attorney General's Office and the NH Liquor Commission strongly opposed this bill. The current language in the statute allows for the transportation of alcohol in a vehicle or boat by a minor when she or he is accompanied by a parent, legal guardian, or legal age spouse. This bill would eliminate the word "spouse" and substitute instead "family member." It would apply to the operation of both a motor vehicle and a boat. The committee heard testimony from the Attorney General's Office that concluded this change would be create a rabbit hole and make it that much more difficult for police officers to do their jobs. Under the Weldy v. Kingston decision, police were held liable for the death of a female juvenile who was killed as a result of an alcohol-related motor vehicle accident. In that decision, police initially stopped a motor vehicle with several juveniles in it who were transporting alcohol. The police confiscated the alcohol and let the juveniles go. The juveniles acquired more alcohol, drank some of it, and were involved in a fatal motor vehicle accident later that evening. Under the "Kingston Decision," police have no leeway when it comes to seizing alcohol and placing the underage driver (and other juveniles in the vehicle) under protective custody. By adding the term "family member" to the existing statute, it creates a whole range of issues that would be difficult to enforce. For example, does family member include cousins? Is it a blood relation or a legal relation? Stepbrothers or stepsisters? The committee discussed a range of problem areas that this bill would create, and the majority of the committee - considering the nexus of alcohol to motor vehicle-related accidents and deaths - felt that the current statutory language more than sufficed to allow a minor to transport alcohol. Vote 12-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority wished to remove the potential for arrest and the resultant legal fees for innocent situations such as when a grandchild

drives a grandparent home from grocery shopping that included a bottle of wine or beer. The minority understood that the legislation and the amendment fixed a situation that may occur rather frequently. The amendment delineated the specific family members who may drive with the underage driver legally. On a division vote, with 190 members having voted in the affirmative, and 93 in the negative, the majority committee report was adopted.

HB 1330, appointing a former prisoner to the interbranch criminal and juvenile justice council. INEXPEDIENT TO LEGISLATE.

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill would have added one former prisoner to the Interbranch Criminal and Juvenile Justice Council. The committee felt that there was no place for a former prisoner on the council. The council discusses many different issues and the meetings are open to the public so anyone can come to the meeting and speak to the council about any issues concerning the prison or the juvenile system. Vote 12-3. Committee report adopted.

HB 1335-FN, relative to state testing of law enforcement officers for steroid use. INEXPEDIENT TO LEGISLATE.

Rep. Laura Pantelakos for Criminal Justice and Public Safety. The committee felt that random testing of law enforcement officers for steroids by Police Standards and Training was unworkable. There is no money in the bill for this testing. The committee felt that this issue is better addressed at the local level. Vote 12-3. Committee report adopted.

HB 1435, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Geoffrey Hirsch for the Majority of Criminal Justice and Public Safety. This bill cuts the legs out from under existing law by limiting the prohibition on the use of mobile electronic devices while driving to a secondary action when another offense is cited or charged. The three big contributors to fatal car crashes are DUI, speed, and distracted driving due to hand held devices. The committee heard opposition from the AAA of Northern New England, the NH Auto Dealers Association, the NH Department of Safety, and the NH Attorney General's office. The Live Free or Die Alliance offered survey data that showed over 60% of NH citizens polled support leaving current law alone. This proposed legislation moves NH backward in trying to keep our roads and highways safe. Vote 13-5. Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. The bill makes changes to the current statute regarding the use of mobile devices while driving. The existing law allows police to pull over a driver if they observe them using a mobile device as a primary reason for the stop. This bill modifies the statute to be a secondary action when another offense is cited or charged. For example, speeding, erratic operation, or defective safety equipment. The Fourth Amendment requires some minimal level of objective justification for making the stop. It is the minority opinion that making a stop primarily due to the observed use of a mobile device does not meet the level of suspicion that the operator is not in control of the vehicle and therefore it is not justified as a primary reason for the stop.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 188 NAYS 115

YEAS - 188 BELKNAP

Fields B	DELKNAP		
Fields, Dennis	Flanders, Donald	Gallagher, Brian	Tilton, Franklin
Butler, Edward	CARROLL		
-unor, Editard	McCarthy, Frank	Schmidt, Stephen	Umberger, Karen
		HESHIRE	
Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie	Ames, Richard Johnsen, Gladys Roberts, Kris Tatro, Bruce	Berch, Paul Ley, Douglas Robertson, Timothy Tilton, Benjamin	Bordenet, John Mann, John Sad, Tara Weber, Lucy

COOS

Fothergill, John Theberge, Robert Hatch, William Tholl, John Moynihan, Wayne Thomas, Yvonne Richardson, Herbert

GRAFTON

Abel, Richard Ford, Susan Ladd, Rick Sykes, George Almy, Susan Hennessey, Erin Maes, Kevin Townsend, Charles Cooney, Mary Hennessey, Martha Massimilla, Linda White, Andrew

Darrow, Stephen Higgins, Patricia Smith, Suzanne

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Cornell, Patricia Freitas, Mary Gorman, Mary Harvey, Suzanne Jeudy, Jean Mangipudi, Latha Palmer, Barry Porter, Marjorie Rouillard, Claire Shaw, Barbara Sullivan, Daniel Wolf, Terry Balcom, John Brown, Pamela Cote, David Gagne, Larry Gould, Linda Heath, Mary LeBrun, Donald Manley, Jonathan Pellegrino, Anthony Proulx, Mark Rowe, Robert Smith, Timothy Takesian, Charlene Baroody, Benjamin Christensen, Chris Danielson, David Gidge, Kenneth Guerette, C. Lee Hinch, Richard Leishman, Peter McNamara, Richard Peterson, Ken Roberts, Carol Seidel, Carl Snow, Kendall Vann, Ivy Barry, Richard Cohen, Alan Donovan, Daniel Goley, Jeffrey Haefner, Robert Jack, Martin Long, Patrick O'Brien, Michael Pierce, David Rosenwald, Cindy Shattuck, Gilman Soucy, Timothy Walsh, Robert

MERRIMACK

Alicea, Caroletta Doherty, David Gile, Mary Horn, Werner Luneau, David Rice, Chip Turcotte, Alan Bartlett, Christy Ebel, Karen Henle, Paul Karrick, David MacKay, James Saunderson, George Wheeler, Deborah Carson, Clyde Frazer, June Hess, David Kenison, Linda Myler, Mel Schuett, Dianne Deloge, Helen French, Barbara Hirsch, Geoffrey Kotowski, Frank Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Borden, David
Chase, Francis
DiFranco, Debbie
Gordon, Pamela
Hoelzel, Kathleen
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Simpson, Alexis
Weyler, Kenneth

Azarian, Gary
Cahill, Michael
Cushing, Robert
Doucette, Fred
Green, Dennis
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Potucek, John
Sweeney, Joe

Barnes, Arthur
Cali-Pitts, Jacqueline
DeSimone, Debra
Francese, Paula
Griffin, Mary
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Ward, Gerald

Berrien, Skip
Cardon, G. Thomas
Devine, James
Friel, William
Heffron, Frank
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Rice, Frederick
Welch, David

STRAFFORD

Baber, William Gray, James Southworth, Thomas Wall, Janet Bixby, Peter Horrigan, Timothy Spang, Judith Burton, Wayne Schmidt, Peter Stevens, Audrey DiSesa, Len Smith, Marjorie Treleaven, Susan

SULLIVAN

Cloutier, John Irwin, Virginia Smith, Steven Gagnon, Raymond Oxenham, Lee Gottling, Suzanne Rollins, Skip Grenier, James Schmidt, Andrew

NAYS - 115

BELKNAP

Aldrich, Glen Dumais, Russell Hurt, George LeBreche, Shari Sylvia, Michael Vadney, Herbert

ussell Fraser, Valerie Shari Russell, David

Howard, Jr., Raymond Spanos, Peter

Avellani, Lino McConkey, Mark Wright, Ted

Buco, Thomas Nelson, Bill CARROLL

Comeau, Ed
Parker, Harold

Cordelli, Glenn Ticehurst, Susan

CHESHIRE

Hunt, John

McConnell, James

coos

Rideout, Leon

GRAFTON

Bailey, Brad Johnson, Eric

Gionet, Edmond

Hull, Robert Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Christie, Rick Edwards, Elizabeth Hansen, Peter Lachance, Joseph Moore, Josh Ohm, Bill Schleien, Eric Twombly, Timothy Ammon, Keith Burt, John Coffey, James Estevez, Eric Hogan, Edith Marston, Dick Murotake, David Parison, James Smith, Gregory Ulery, Jordan

Belanger, James Byron, Frank Eastman, Eric Ferreira, Elizabeth Hopper, Gary McCarthy, Peggy Murphy, Keith Rice, Kimberly Sullivan, Victoria Biggie, Barbara Christiansen, Lars Edelblut, Frank Griffin, Barbara Infantine, William McLean, Mark Notter, Jeanine Sanborn, Laurie Sweeney, Shawn

MERRIMACK

French, Harold Long, Douglas McGuire, Dan Hill, Gregory Marple, Richard Seaworth, Brian

Hoell, J.R. Martin, John

Kuch, Bill McGuire, Carol

ROCKINGHAM

Abramson, Max Chirichiello, Brian Ferrante, Beverly Itse, Daniel Spillane, James True, Chris

Baldasaro, Alfred Cook, Allen Gannon, William Kappler, Lawrence Sytek, John Vose, Michael

Bates, David Duarte, Joe Harris, Jeffrey Osborne, Jason Thomas, Douglas Ward, Joanne Bush, Carol Emerick, J. Tracy Hodgdon, Bruce Schroadter, Adam Tilton, Rio Webb, James

STRAFFORD

Beaudoin, Steven Groen, Warren Leeman, Don Turcotte, Leonard Bickford, David Hannon, Joseph Mullen, John Wuelper, Kurt

Cheney, Catherine Jones, Laura Pitre, Joseph Graham, Robert Kaczynski, Jr., Thomas Sprague, Dale

SULLIVAN

Converse, Larry Laware, Thomas

and the majority committee report was adopted.

HB 1448, relative to contact between a plaintiff and defendant subject to a protective order. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. The language of this bill would effectively level the playing field between a defendant (the abuser in a domestic abuse restraining order) and the plaintiff (the victim in the relationship). It would place similar contact restrictions on both parties in a domestic situation where the defendant is a threat to the health and safety of the plaintiff. If one looks at the current statute as a whole, the first line states "... a finding of abuse shall mean the defendant represents a credible threat to the safety of the plaintiff." The restraining order is put into effect by the courts to restrain the defendant/abuser, not the plaintiff/ victim. This amended version of the statute would make the restraining orders mutual relief orders, and RSA 173:B-5, V, (a) specifically prohibits those types of orders. The purpose of enacting domestic violence laws and, in particular, restraining orders is to make the victims feel more safe, to hold abusers accountable and to give families the support they need to be safe. The majority of the committee felt that there was no need to amend a statute that is already working well. By passing this bill it would effectively remove the interstate enforcement of restraining orders, as it would no longer be able to be entered into the interstate compact due to federal regulations, leaving the victim without the protection of the domestic violence restraining order out of state. Vote 13-5. Rep. John Burt for the Minority of Criminal Justice and Public Safety. The adoption of this bill would provide further protection to the victims by preventing contact from either party to the other through any means of communication, unless communicating through a third party. How many citizens realize that when you ask for a protective order that it only protects just one side? This bill is not only about domestic violence, but any victim that asks the court for a protective order. Protective orders are to protect the victim, if a victim is afraid, fearful for their life, why should they be calling, emailing, texting, provoking, etc. to their alleged abuser? The majority stated that protective orders are hard to get; this is not true, what judge would risk this liability? Protective orders are not upheld across state lines; again, not true - in his or her new state of residency, the police must uphold the protection order from another state. Why it is ok for a victim to get a protective order and still have the right to contact that plaintiff with no ramifications, yet the accused abuser can be arrested for responding or answering? Why are we enabling victims instead of teaching them to protect themselves? This bill is just common sense. Regardless of gender, the victim should be protected from their abuser by forbidding contact from either side. Majority committee report adopted.

HB 1451-FN, allowing persons convicted of certain nonviolent first offenses to petition for an annulment of the criminal record. OUGHT TO PASS WITH AMENDMENT.

Rep. David Welch for Criminal Justice and Public Safety. This bill as amended allows any person who was convicted of a criminal offense whose conviction was subsequently vacated by a court may petition for annulment of the arrest record or court record or both. Vote 18-0.

Amendment (0138)

Amend the title of the bill by replacing it with the following:

relative to the annulment of certain criminal offenses.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

AMENDED ANALYSIS

The bill allows a person to petition for an annulment if the person's criminal conviction was subsequently vacated.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1474, requiring the collection of data relative to firearm related deaths and injuries. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John Martin for the Majority of Criminal Justice and Public Safety. This bill would have required yet another report on firearms-related crimes in New Hampshire. This was seen as unnecessary, as any crime, theft, or incident regarding firearms is already reported, investigated, tabulated and reported by the Department of Safety. It is available by a few keystrokes to access it. It was even demonstrated in one case before the committee where a vague estimate was offered regarding a firearms specific statistic, citing the unknown nature of the exact figure, when it was inadvertently included in the documentary evidence presented. Further, all this information is also contained in the FBI Uniform Crime Report, an annual compendium of crime in the United States. This bill had the possibility of being a "red herring" in regards to furthering an anti-Second Amendment agenda. Vote 11-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. When a car kills a person in the United States, the details all go into a massive database. It is called the Fatality Analysis Reporting System, and it records the number of deaths, the type of car, weather conditions, speed, seatbelt use, age, sex, seating position, and drug use of every single occupant - over 100 variables in total. Those numbers are the backbone of car safety standards. Since the National Highway Traffic Safety Administration started capturing that data in 1975, car deaths have fallen by 27 percent. This bill simply requires the Department of Safety to release in one report the number and types of convictions for firearm-related crimes committed in New Hampshire on a yearly basis to the Speaker of the House, President of the Senate, and the Chairs of the House Criminal Justice and Senate Judiciary Committees. Additionally the department would report on the number of deaths and injuries occurring from firearms in New Hampshire. All of this data does already exist but is spread out in various locations, making it cumbersome to assemble. Reporting can be done with little to no additional expense by the Criminal Records Division of the State Police. While not every town and city reports all information to the State Police, the majority do, and this data would be of great assistance to legislators in making informed decisions regarding firearms and public safety. It is unfortunate that attempts to accumulate this kind of data are met with such resistance. It is time to close the data gaps and understand more about how firearms impact public health and safety.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 225 NAYS 80

YEAS - 225

BELKNAP

Aldrich, Glen Fraser, Valerie LeBreche, Shari Vadney, Herbert	Dumais, Russell Gallagher, Brian Russell, David	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Tilton, Franklin

CARROLL

	•	CHRICOLL	
Avellani, Lino McCarthy, Frank Schmidt, Stephen	Buco, Thomas McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Gienn Parker, Harold

CHESHIRE

Bordenet, John Roberts, Kris	Chase, Cynthia Tilton, Benjamin	Hunt, John	McConnell, James

	COOS		
Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	

GRAFTON

Bailey, Brad Hull, Robert Smith, Suzanne	Darrow, Stephen Ingbretson, Paul White, Andrew	Gionet, Edmond Johnson, Eric	Hennessey, Erin Ladd, Rick
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HILLSROPOUCH

	HILLSBOROUGH		
Adams, Christopher	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	Donovan, Daniel

Eastman, Eric
Ferreira, Elizabeth
Gorman, Mary
Hinch, Richard
Jack, Martin
Long, Patrick
McLean, Mark
Notter, Jeanine
Parison, James
Proulx, Mark
Sanborn, Laurie
Simmons, Tammy
Sullivan, Victoria
Ulery, Jordan

Edelblut, Frank
Gagne, Larry
Gould, Linda
Hogan, Edith
Jeudy, Jean
Manley, Jonathan
Moore, Josh
O'Brien, Michael
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Smith, Gregory
Sweeney, Shawn
Walsh, Robert

Edwards, Elizabeth Gidge, Kenneth Haefner, Robert Hopper, Gary Lachance, Joseph Marston, Dick Murotake, David Ohm, Bill Peterson, Ken Rouillard, Claire Seidel, Carl Smith, Timothy Takesian, Charlene Wolf, Terry Estevez, Eric
Goley, Jeffrey
Harvey, Suzanne
Infantine, William
LeBrun, Donald
McCarthy, Peggy
Murphy, Keith
Palmer, Barry
Pierce, David
Rowe, Robert
Shaw, Barbara
Snow, Kendall
Twombly, Timothy

MERRIMACK

Carson, Clyde French, Harold Horn, Werner MacKay, James Myler, Mel Shurtleff, Stephen Ebel, Karen Hess, David Kotowski, Frank Marple, Richard Ratzki, Mario Wheeler, Deborah Frazer, June Hill, Gregory Kuch, Bill Martin, John Rice, Chip French, Barbara Hoell, J.R. Long, Douglas McGuire, Dan Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Chase, Francis DeSimone, Debra Emerick, J. Tracy Green, Dennis Hoelzel, Kathleen Kolodziej, Walter McKinney, Betsy Osborne, Jason Potucek, John Spillane, James Tilton, Rio Webb, James Abramson, Max
Bates, David
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Griffin, Mary
Itse, Daniel
Lovejoy, Patricia
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Welch. David

Azarian, Gary
Bush, Carol
Cook, Allen
Doucette, Fred
Friel, William
Harris, Jeffrey
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Pantelakos, Laura
Rice, Frederick
Sytek, John
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred Cardon, G. Thomas Dean-Bailey, Yvonne Duarte, Joe Gannon, William Hodgdon, Bruce Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Peckham, Michele Simpson, Alexis Thomas, Douglas Ward, Joanne

STRAFFORD

Beaudoin, Steven DiSesa, Len Hannon, Joseph Mullen, John Turcotte, Leonard Bickford, David Graham, Robert Jones, Laura Pitre, Joseph Wall, Janet Burton, Wayne Gray, James Kaczynski, Jr., Thomas Sprague, Dale Cheney, Catherine Groen, Warren Leeman, Don Treleaven, Susan

SULLIVAN

Cloutier, John Laware, Thomas Gagnon, Raymond Rollins, Skip Gottling, Suzanne Schmidt, Andrew Grenier, James Smith, Steven

NAYS - 80 BELKNAP

Sylvia, Michael

CARROLL

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, MichaelAmes, RichardBerch, PaulJohnsen, GladysLey, DouglasMann, JohnPearson, WilliamRobertson, TimothySad, TaraShepardson, MarjorieTatro, BruceWeber, Lucy

COOS

Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Sykes, George Townsend, Charles

HILLSBOROUGH

Ammon, Keith Backus, Robert Freitas, Mary Griffin, Barbara Guerette, C. Lee Hansen, Peter Heath, Mary Leishman, Peter Mangipudi, Latha McNamara, Richard Porter, Mariorie Roberts, Carol Rosenwald, Cindy Shattuck, Gilman Soucy, Timothy Sullivan, Daniel Vann, Ivy

MERRIMACK

Alicea, Caroletta Bartlett, Christy Deloge, Helen Doherty, David Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David Kenison, Linda Luneau, David McGuire, Carol Saunderson, George Schuett, Dianne Turcotte. Alan

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Francese, Paula Gordon, Pamela Heffron, Frank Schroadter, Adam Ward, Gerald

STRAFFORD

 Baber, William
 Bixby, Peter
 Horrigan, Timothy
 Schmidt, Peter

 Smith, Marjorie
 Southworth, Thomas
 Spang, Judith
 Stevens, Audrey

 Wuelper, Kurt

SULLIVAN

Converse, Larry Irwin, Virginia Oxenham, Lee

and the majority committee report was adopted.

HB 1543-FN, relative to prosecutorial misconduct. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would have subjected an attorney acting as a prosecutor for the state, county, or a municipality to a class B felony if he or she knowingly prosecuted a person knowing that the person was not guilty of the crime. The ability to determine whether or not someone knew with certainty that a person was not guilty is subjective and would open a prosecutor to excessive complaints from defendants. The Attorney General's Office testified against the bill and pointed out that there are already remedies within the law to address the problem. For these reasons, the committee felt that the bill was not necessary. Vote 11-1.

On a division vote, with 256 members having voted in the affirmative, and 49 in the negative, the committee report was adopted.

HB 1547-FN, prohibiting beastiality. OUGHT TO PASS WITH AMENDMENT.

Rep. Laura Pantelakos for Criminal Justice and Public Safety. Our statute on the crime of bestiality was repealed in 1975. Under this bill, the crime of having sex with an animal will once again be a criminal act. The amendment satisfies concerns expressed by NH's farmers and the veterinarian community. Vote 15-0.

Amendment (0775h)

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting bestiality.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Bestiality. Amend RSA 632-A by inserting after section 24 the following new subdivision:

Bestiality

632-A:25 Bestiality.

I. A person commits, bestiality by knowingly committing any of the following acts:

(a) Engaging in copulation with an animal.

(b) Offering or accepting the offer of an animal for consideration with the intent that it be subject to sexual contact or sexual penetration by a human.

(c) Photographing or filming or distributing such photographs or films, for the purpose of sexual arousal or gratification, of a person engaged in sexual contact or sexual penetration with an animal.

II. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor for a first offense and a class B felony for a second or subsequent offense.

III. In addition to any other penalty imposed for a violation of this section, the court shall order that the convicted person:

(a) Submit to a psychological assessment and participate in appropriate counseling at the convicted person's own expense.

(b) Reimburse an animal shelter for any reasonable costs incurred for the care and maintenance of any animal that was taken to the animal shelter as a result of conduct proscribed by this section.

(c) Shall not own, harbor, exercise control over, or reside in the same household with any animal for a period of time deemed reasonable by the court.

IV. This section shall not apply to:

(a) Accepted veterinary medical practices.

(b) Insemination of animals for the purpose of procreation.

(c) Accepted animal husbandry practices that provide necessary care for animals.

V. For purposes of this section, "animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.

AMENDED ANALYSIS

This bill establishes the crime of bestiality.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1549-FN, requiring the department of safety to establish a database cataloging certain law enforcement activities. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. David Welch for the Majority of Criminal Justice and Public Safety. This bill as introduced requires the Department of Safety to create and maintain a database cataloging law enforcement activities. This would mandate compliance by local and county law enforcement. Since we cannot mandate or pass on to local communities according to the NH Constitution Part I, Article 28-a, the committee voted to find the bill Inexpedient to Legislate. Vote 10-4.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. Law enforcement utilizes the Intelligence Analysis Center to report crime statistics. They report their statistics to this entity. According to its mission statement, "The Center provides an integrated, all-crimes/all-hazards, information sharing network to collect, analyze and disseminate information derived from multiple sources to stakeholders in a timely manner, in an effort to protect the citizens and the critical infrastructure of New Hampshire, while ensuring the protection of civil rights and civil liberties." At present, the actions taken by law enforcement are compiled at the local level and not forwarded to the IAC. The mission statement reads, "While ensuring the protection of civil rights and civil liberties." This bill would establish that this "Law Enforcement Action Data," that is already compiled at the different levels of enforcement be forwarded to the IAC. The public could then acquire information that may be properly redacted when a public right to know request is submitted. At present, a citizen must access hundreds of different departments to compile Law Enforcement action data. It is the minority opinion that improperly redacted data could be inadvertently released and it would be more secure to have this data and the requests for it in one place. Rep. Ammon requested a roll call; sufficiently seconded.

Amendment (0212h)

Amend the bill by replacing all after the enacting clause with the following:

1 Correction of Checklist; Notice. Amend RSA 654:27 to read as follows:

- 654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or [and] shall be [published] printed in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.
 - 2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:
- I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [advertise] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or printed at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.
 - 3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:
- II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [advertise and] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or published at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.
 - 4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill modifies requirements for notice of sessions for the correction or verification of the checklist. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Bates offered floor amendment (0403h).

Floor Amendment (0403h)

Amend the bill by replacing sections 2 and 3 with the following:

- 2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:
- I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [advertise] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and printed at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.
 - 3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:
- II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [advertise and] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

Danielson, David

Estevez, Eric

Rep. Bates spoke in favor.

Rep. Gray spoke against.

On a division vote, with 271 members having voted in the affirmative, and 71 in the negative, floor amendment (0403h) was adopted.

Committee report adopted and ordered to third reading.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. OUGHT TO PASS WITH AMENDMENT.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill as amended prohibits licensed counselors to engage in conversion therapy with a person under 18 years of age. It also allows unlicensed counselors to be sued over conversion therapy. The committee heard overwhelming testimony as to the harms of conversion therapy and no evidence that it is even effective. Vote 17-0.

Amendment (0067h)

Amend the introductory paragraph of RSA 332-L:3, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Advertise for the provision of conversion therapy for monetary compensation in exchange for such services where such advertising claims:

Amend the bill by deleting RSA 332-L:4 as inserted by section 2 of the bill.

MOTION TO LIMIT DEBATE

Reps. Hinch and Shurtleff moved to limit debate on **HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation, to 15 minutes on each side, including questions.

MOTION TO LAY ON THE TABLE

Rep. Ohm moved that **HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation, be laid on the table.

Rep. Schleien requested a roll call; sufficiently seconded.

Donovan, Daniel

Ferreira, Elizabeth

YEAS 167 NAYS 175

YEAS - 167 BELKNAP

	-	AND AND ALLES	
Aldrich, Glen Gallagher, Brian Russell, David	Dumais, Russell Howard, Raymond Spanos, Peter	Tilton, Franklin Hurt, George Sylvia, Michael	Flanders, Donald LeBreche, Shari Fraser, Valerie
	C	ARROLL	
Avellani, Lino McCarthy, Frank	Buco, Thomas McConkey, Mark	Cordelli, Glenn	Crawford, Karel
	C	HESHIRE	
Tilton, Benjamin Parkhurst, Henry	Bordenet, John Sterling, Franklin	Hunt, John	McConnell, James
		COOS	
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
	G	RAFTON	
Bailey, Brad Johnson, Eric	Bennett, Travis Hull, Robert	Brown, Duane	Darrow, Stephen
	HILL	SBOROUGH	
Adams, Christopher Biggie, Barbara	Griffin, Barbara Boehm, Ralph	Balcom, John Burt, John	Baroody, Benjamin Byron, Frank

Eastman, Eric

Forest, Armand

Edelblut, Frank

Gagne, Larry

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Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Guerette, C. Lee
Haefner, Robert	Hansen, Peter	Hogan, Edith	Hopper, Gary
Infantine, William	Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal
Christiansen, Lars	Ober, Lynne	LeBrun, Donald	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Christie, Rick
Ober, Russell	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Straight, Phillip	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria		
	ME	RRIMACK	
Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Gile, Mary	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
Patten, Dick	Ratzki, Mario	Wheeler, Deborah	
	PO	CKINGHAM	
Abromi Datriak	Abramson, Max	Allen, Mary	Azarian, Gary
Abrami, Patrick	· ·	Bates, David	Bush, Carol
Baldasaro, Alfred	Barnes, Arthur	Thomas, Douglas	Dean-Bailey, Yvonne
Chirichiello, Brian	Cook, Allen	•	Elliott, Robert
DeSimone, Debra	Devine, James	Duarte, Joe	·
Emerick, J. Tracy	Chase, Francis	Rice, Frederick	Fesh, Robert
Friel, William	Gannon, William	Green, Dennis	Hagan, Joseph
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Ward, Joanne
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Griffin, Mary
Manning, John	McKinney, Betsy	Nigrello, Robert	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	Vose, Michael
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
	ST	RAFFORD	
Bickford, David	Cheney, Catherine	DeLemus, Susan	Gardner, Janice
Graham, Robert	Groen, Warren	Kaczynski, Thomas	Turcotte, Leonard
Leeman, Don	Mullen, John	Pitre, Joseph	Wuelper, Kurt
	S	ULLIVAN	
Schmidt, Andrew	Gagnon, Raymond	Laware, Thomas	Rollins, Skip
		IAYS - 175	·
		BELKNAP	
Fields, Dennis	Fisher, Robert	Vadney, Herbert	Varney, Peter
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		CARROLL	Calamidt Ctanhan
Butler, Edward	Chandler, Gene	Comeau, Ed	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Johnsen, Gladys	Roberts, Kris
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Weber, Lucy
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John		
moboligo, Hoboli			

GRAFTON

Abel. Richard Almy, Susan Cooney, Mary Hennessev, Erin Ford, Susan Gionet, Edmond Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Smith. Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Ammon, Keith Backus, Robert Barry, Richard Beaulieu, Jane Bouldin, Amanda Christensen, Chris Roberts, Carol Coffey, James Cohen, Alan Cornell, Patricia Cote. David Sullivan, Daniel DiSilvestro, Linda Edwards, Elizabeth Freitas, Mary Golev, Jeffrey Gorman, Mary Hansberry, Daniel Harvey, Suzanne Heath, Mary Hinch, Richard Belanger, James Jack, Martin Rice, Kimberly Lachance, Joseph Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Neil, William Brown, Pamela Long, Patrick McCarthy, Peggy Pierce, David Porter, Mariorie Walsh, Robert Rosenwald, Cindy Rouillard, Claire Schleien, Eric Shattuck, Gilman Snow, Kendall Takesian, Charlene Vann, Ivv Williams, Kermit Wolf, Terry Woodbury, David Zaricki, Nick

MERRIMACK

Turcotte, Alan Alicea, Caroletta French, Barbara Bartlett, Christy Bradley, Paula Rice, Chip Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Hess, David Henle, Paul Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Myler, Mel Rogers, Katherine Saunderson, George Schuett, Dianne Seaworth, Brian Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Berrien, Skip Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Edgar, Michael Ferrante, Beverly Francese, Paula Ward, Gerald Guthrie, Joseph Harris, Jeffrey Heffron, Frank Hoelzel, Kathleen Sweeney, Joe Lovejoy, Patricia Major, Norman Matthews, Carolyn McBeath, Rebecca McMahon, Charles O'Connor, John Osborne, Jason Gordon, Pamela Packard, Sherman Pantelakos, Laura Peckham, Michele Tilton, Rio Sherman, Thomas Simpson, Alexis

STRAFFORD

Baber, William Bixby, Peter Burton, Wayne Cilley, Jacalyn Gray, James Hannon, Joseph Horrigan, Timothy Jones, Laura Ward, Kenneth Kaen, Naida Smith, Marjorie Schmidt, Peter Rollo, Deanna Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Smith, Steven

and the motion failed.

The question now being adoption of the motion to limit debate.

Rep. Hoell moved to amend the motion to allow 45 minutes for each side, including questions. On a division vote, with 61 members having voted in the affirmative, and 280 in the negative, the motion failed.

The question now being adoption of the motion to limit debate to 15 minutes on each side, including questions.

Rep. Chris Christensen moved to amend the motion to running time.

Rep. Brewster requested a roll call; sufficiently seconded.

YEAS 213 NAYS 129

YEAS - 213 BELKNAP

	В	ELKNAP	
Dumais, Russell Flanders, Donald LeBreche, Shari	Tilton, Franklin Gallagher, Brian Russell, David	Fields, Dennis Howard, Raymond Fraser, Valerie	Fisher, Robert Hurt, George Varney, Peter
	C	ARROLL	
Buco, Thomas	Comeau, Ed	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	McConnell, James	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	
		COOS	
Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne	Rappaport, Laurence
	G	RAFTON	
Abel, Richard	Bailey, Brad	Bennett, Travis	Cooney, Mary
Brown, Duane	Hennessey, Erin	Gionet, Edmond	Higgins, Patricia
Maes, Kevin	Smith, Suzanne	Sykes, George	
	HILI	SBOROUGH	
Balcom, John	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Boehm, Ralph	Byron, Frank	Christensen, Chris
Roberts, Carol	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Estevez, Eric	Forest, Armand	Freitas, Mary	Gargasz, Carolyn
Gonzalez, Carlos	Gorman, Mary	Haefner, Robert	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Jack, Martin	Jeudy, Jean	Rice, Kimberly	Katsiantonis, Thomas
Kurk, Neal	Christiansen, Lars	Ober, Lynne	LeBrun, Donald
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
McClarren, Donald	McNamara, Richard	Murotake, David	O'Neil, William
Brown, Pamela	Long, Patrick	McCarthy, Peggy	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Christie, Rick
Ober, Russell	Rouillard, Claire	Schleien, Eric	Scontsas, Lisa
Shattuck, Gilman	Simmons, Tammy	Snow, Kendall	Straight, Phillip
Takesian, Charlene	Williams, Kermit	Wolf, Terry	Woodbury, David
		ERRIMACK	D: 01:
French, Barbara	Bartlett, Christy	Bradley, Paula	Rice, Chip
Long, Douglas	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Kotowski, Frank
Luneau, David	MacKay, James	Marple, Richard	Martin, John
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Walsh, Thomas
		CKINGHAM	
Christie, Andrew	Abrami, Patrick	Allen, Mary	Azarian, Gary

Cardon, G. Thomas

Chirichiello, Brian

Barnes, Arthur

Bush, Carol

Carson, Clyde

Wheeler, Deborah

Hoell, J.R.

Kuch, Bill

McGuire, Dan

Horn, Werner

Seaworth, Brian

French, Harold

Karrick, David

Shurtleff, Stephen

Hill, Gregory

Kenison, Linda

Wallner, Mary Jane

810	HOUSE JOUR	NAL MARCH 23, 2016	•
DeSimone, Debra Chase, Francis Francese, Paula Green, Dennis Introne, Robert Kolodziej, Walter Manning, John Gordon, Pamela Schroadter, Adam Welch, David	DiFranco, Debbie Rice, Frederick Friel, William Guthrie, Joseph Sweeney, Joe Lovejoy, Patricia McBeath, Rebecca Peckham, Michele Sherman, Thomas Weyler, Kenneth	Duarte, Joe Ferrante, Beverly Ward, Gerald Hagan, Joseph Ward, Joanne Griffin, Mary McKinney, Betsy Potucek, John Vose, Michael Woitkun, Steven	Elliott, Robert Fesh, Robert Gannon, William Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman O'Connor, John Tilton, Rio Webb, James
	ST	RAFFORD	
Bickford, David Gardner, Janice Schmidt, Peter Stevens, Audrey	Bixby, Peter Ward, Kenneth Pitre, Joseph Treleaven, Susan	Burton, Wayne Leeman, Don Rollo, Deanna	Cheney, Catherine Mullen, John Southworth, Thomas
	S	ULLIVAN	
Schmidt, Andrew Grenier, James	Cloutier, John Laware, Thomas	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Rollins, Skip
	N	IAYS - 129	
	F	BELKNAP	
Aldrich, Glen	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
	C	CARROLL	
Avellani, Lino Ticehurst, Susan	Butler, Edward	Chandler, Gene	Cordelli, Glenn
	C	HESHIRE	
Berch, Paul	Johnsen, Gladys	Roberts, Kris	Weber, Lucy
, ·	comicen, analys	11000110, 1110	110001, 2009
		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
	6	RAFTON	
Almy, Susan	Darrow, Stephen	Johnson, Eric	Ford, Susan
Hull, Robert	Massimilla, Linda	Nordgren, Sharon	Townsend, Charles
	HILI	SBOROUGH	
Ammon, Keith	Griffin, Barbara	Backus, Robert	Bouldin, Amanda
Burt, John	Sullivan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Ferreira, Elizabeth	Gagne, Larry	Goley, Jeffrey
Gould, Linda	Guerette, C. Lee	Hogan, Edith	Hopper, Gary
Belanger, James	Lachance, Joseph	Marston, Dick	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Parison, James	Proulx, Mark	Walsh, Robert	Rosenwald, Cindy
Sanborn, Laurie	Seidel, Carl	Souza, Kathleen	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Vann, Ivy	Zaricki, Nick
	ME	CRRIMACK	
Turcotte, Alan	Alicea, Caroletta	Brewster, Michael	McGuire, Carol
Carson Clyde	McGuiro Dan	Eropoh Harold	Lill Cropper

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Berrien, Skip
Cahill, Michael	Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Edgar, Michael
Emerick, J. Tracy	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Matthews, Carolyn	McMahon, Charles
Nigrello, Robert	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Gordon, Richard	Simpson, Alexis	Spillane, James
Sytek John	True, Chris	Tucker, Pamela	

STRAFFORD

Baber, William	Cilley, Jacalyn	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Thomas	Kaen, Naida	Turcotte, Leonard
Smith, Marjorie	Spang, Judith	Wall, Janet	Wuelper, Kurt

SULLIVAN

Converse, Larry	Irwin, Virginia	O'Hearne, Andrew	Smith, Steven

and the motion was adopted.

The question now being adoption of the motion to limit debate to 15 running minutes on each side, including questions.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 269 NAYS 73

YEAS - 269

BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Fisher, Robert
Flanders, Donald	Gallagher, Brian	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Fraser, Valerie	Varney, Peter

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	Roberts, Kris	Ley, Douglas	Mann, John
McConnell, James	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Hull, Robert	Maes. Kevin
Massimilla, Linda Townsend, Charles	Nordgren, Sharon	Smith, Suzanne	Sykes, George

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Byron, Frank Cohen, Alan Danielson, David Estevez, Eric Goley, Jeffrey Haefner, Robert Heath, Mary Rice, Kimberly LeBrun, Donald Manley, Jonathan Murotake, David McCarthy, Peggy Porter, Marjorie Walsh, Robert Scontsas, Lisa Straight, Phillip Wolf, Terry

Balcom, John Biggie, Barbara Christensen, Chris Cornell, Patricia DiSilvestro, Linda Forest, Armand Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Katsiantonis, Thomas Leishman, Peter Marston, Dick O'Neil, William Pellegrino, Anthony Proulx, Mark Rosenwald, Cindy Shattuck, Gilman Takesian, Charlene

Baroody, Benjamin Boehm, Ralph Roberts, Carol Cote, David Donovan, Daniel Freitas, Mary Gorman, Mary Hansen, Peter Jack, Martin Christiansen, Lars O'Brien, Michael McClarren, Donald Brown, Pamela Peterson, Ken Christie, Rick Rouillard, Claire Simmons, Tammy Sullivan, Victoria Zaricki, Nick

Barry, Richard Bouldin, Amanda Coffey, James Sullivan, Daniel Edelblut, Frank Gargasz, Carolyn Guerette, C. Lee Harvey, Suzanne Jeudy, Jean Ober, Lynne Mangipudi, Latha McNamara, Richard Long, Patrick Pierce, David Ober, Russell Schleien, Eric Snow, Kendall Williams, Kermit

MERRIMACK

Turcotte, Alan Rice, Chip Ebel, Karen Karrick, David Luneau, David Moffett, Howard Rogers, Katherine Walsh, Thomas

French, Barbara Carson, Clyde Gile, Mary Kenison, Linda MacKay, James Myler, Mel Saunderson, George Wallner, Mary Jane

Woodbury, David

Bartlett, Christy Long, Douglas Henle, Paul Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wheeler, Deborah

Bradley, Paula Doherty, David Hess, David Kuch, Bill Martin, John Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cardon, G. Thomas Devine, James Emerick, J. Tracy Fesh. Robert Gannon, William Heffron, Frank Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Tilton, Rio Vose, Michael Woitkun, Steven

Abrami, Patrick Berrien, Skip Chirichiello, Brian DiFranco, Debbie Chase, Francis Francese, Paula Green, Dennis Hodgdon, Bruce Ward, Joanne Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Sherman, Thomas Webb, James Allen, Mary Bush, Carol Dean-Bailey, Yvonne Duarte, Joe Rice, Frederick Friel, William Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman McKinney, Betsy Gordon, Pamela Potucek, John Simpson, Alexis Welch, David Azarian, Gary
Cahill, Michael
DeSimone, Debra
Elliott, Robert
Ferrante, Beverly
Ward, Gerald
Hagan, Joseph
Introne, Robert
Kolodziej, Walter
Manning, John
McMahon, Charles
Packard, Sherman
Gordon, Richard
Sytek, John
Weyler, Kenneth

STRAFFORD

Baber, William Cheney, Catherine Ward, Kenneth Schmidt, Peter Spang, Judith Bickford, David Cilley, Jacalyn Kaen, Naida Pitre, Joseph Stevens, Audrey Bixby, Peter Gardner, Janice Leeman, Don Rollo, Deanna Treleaven, Susan

Burton, Wayne Gray, James Mullen, John Southworth, Thomas Wall, Janet SULLIVAN

Schmidt, Andrew Cloutier, John Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham, Lee Rollins, Skip Smith, Steven

NAYS - 73 BELKNAP

Aldrich, Glen Howard, Raymond Sylvia, Michael Vadney, Herbert

CARROLL

Avellani, Lino Cordelli, Glenn

CHESHIRE

Johnsen, Gladys

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen Johnson, Eric

HILLSBOROUGH

Eastman, Eric Griffin, Barbara Burt, John Ammon, Keith Ferreira, Elizabeth Gagne, Larry Gould, Linda Edwards, Elizabeth Hopper, Gary Belanger, James Kurk, Neal Hogan, Edith Murphy, Keith McLean, Mark Moore, Josh Lachance, Joseph Sanborn, Laurie Notter, Jeanine Ohm. Bill Parison, James Seidel, Carl Souza, Kathleen Twombly, Timothy Ulery, Jordan Vann, Ivy

MERRIMACK

Alicea, Caroletta Brewster, Michael McGuire, Carol McGuire, Dan Deloge, Helen French, Harold Hill, Gregory Hoell, J.R.

Horn, Werner Seaworth, Brian

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Cook, Allen
Cushing, Robert
Thomas, Douglas
Edgar, Michael
Harris, Jeffrey
Itse, Daniel
Kappler, Lawrence
Osborne, Jason
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Spillane, James
True, Chris

Tucker, Pamela

STRAFFORD

DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Horrigan, Timothy Jones, Laura Kaczynski, Thomas Turcotte, Leonard

Smith, Marjorie

SULLIVAN

Converse, Larry

and the motion was adopted.

The question being adoption of committee amendment (0067h). Committee amendment adopted.

Wuelper, Kurt

The question now being adoption of the committee report of Ought to Pass with Amendment.

Reps. Groen, Moore, Baldasaro, Cook and Ohm spoke against.

Reps. Simpson, Butler, Zaricki and Fothergill spoke in favor.

Reps. Hoell and Prudhomme-O'Brien spoke against and yielded to questions.

Rep. Schleien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 229 NAYS 99

YEAS - 229

	BEI	LKNAP	
Dumais, Russell Russell, David	Fields, Dennis Spanos, Peter	Fisher, Robert Vadney, Herbert	LeBreche, Shari
	CAI	RROLL	
Butler, Edward Ticehurst, Susan	Chandler, Gene Umberger, Karen	Comeau, Ed	Schmidt, Stephen
	СНЕ	SHIRE	
Abbott, Michael Bordenet, John Johnsen, Gladys Parkhurst, Henry Sad, Tara Weber, Lucy	Ames, Richard Chase, Cynthia Roberts, Kris Pearson, William Shepardson, Marjorie	Tilton, Benjamin Eaton, Daniel Ley, Douglas Phillips, Larry Sterling, Franklin	Berch, Paul Emerson, Susan Mann, John Robertson, Timothy Tatro, Bruce
	C	oos	
Fothergill, John Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne	Richardson, Herbert
	GRA	AFTON	
Abel, Richard Darrow, Stephen Higgins, Patricia Smith, Suzanne	Almy, Susan Hennessey, Erin Maes, Kevin Sykes, George	Bennett, Travis Ford, Susan Massimilla, Linda Townsend, Charles	Cooney, Mary Gionet, Edmond Nordgren, Sharon

	HILLSBOROUGH		
Ammon, Keith	Balcom, John	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Bouldin, Amanda	Byron, Frank	Christensen, Chris
Roberts, Carol	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Edwards, Elizabeth	Estevez, Eric	Freitas, Mary	Gargasz, Carolyn
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Hinch, Richard	Belanger, James	Jack, Martin	Rice, Kimberly
Kurk, Neal	Christiansen, Lars	Ober, Lynne	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McClarren, Donald
Murotake, David	O'Neil, William	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Ober, Russell	Walsh, Robert
Rosenwald, Cindy	Rouillard, Claire	Schleien, Eric	Shattuck, Gilman
Snow, Kendall	Straight, Phillip	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick

MERRIMACK

Deborah

Turcotte, Alan	Alicea, Caroletta
Bradley, Paula	Rice, Chip
Doherty, David	Ebel, Karen
Hess, David	Karrick, David
Kuch, Bill	Luneau, David
Myler, Mel	Patten, Dick
Saunderson, George	Schuett, Dianne
Wallner, Mary Jane	Wheeler, Debora

French, Barbara Carson, Clyde Gile, Mary Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen Bartlett, Christy Deloge, Helen Henle, Paul Kotowski, Frank Moffett, Howard Rogers, Katherine Walsh, Thomas

ROCKINGHAM

	ROC	KINGHAM		
Christie, Andrew	Abrami, Patrick	Abramson, Max	Azarian, Gary	
Barnes, Arthur	Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline	
Cardon, G. Thomas	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra	
Devine, James	DiFranco, Debbie	Duarte, Joe	Edgar, Michael	
Elliott, Robert	Emerick, J. Tracy	Chase, Francis	Rice, Frederick	
Ferrante, Beverly	Francese, Paula	Friel, William	Ward, Gerald	
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert	
Sweeney, Joe	Katsakiores, Phyllis	Lovejoy, Patricia	Griffin, Mary	
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McMahon, Charles	
Nigrello, Robert	O'Connor, John	Osborne, Jason	Gordon, Pamela	
Pantelakos, Laura	Peckham, Michele	Potucek, John	Tilton, Rio	
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Sytek, John	
Vose, Michael	Welch, David	Woitkun, Steven		
	ST	RAFFORD		
Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne	
Cheney, Catherine	Cilley, Jacalyn	Gardner, Janice	Hannon, Joseph	
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Smith, Marjorie	
Schmidt, Peter	Rollo, Deanna	Southworth, Thomas	Spang, Judith	
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet	
	S	ULLIVAN		
Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond	
Gottling, Suzanne Smith, Steven	Grenier, James	Irwin, Virginia	O'Hearne, Andrew	
	r	NAYS - 99		
	F	BELKNAP		
Aldrich, Glen	Tilton, Franklin	Flanders, Donald	Gallagher, Brian	
Howard, Raymond	Hurt, George	Sylvia, Michael	Fraser, Valerie	
Varney, Peter	,, g -		·	
1	CARROLL			
Avellani, Lino	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank	
McConkey, Mark	Nelson, Bill	oordoni, dioini	,,,	
,,		HESHIRE		
Hunt, John	McConnell, James	HESHIKE		
	,	COOS		
Donnanad Lawrence	Rideout, Leon	COOS		
Rappaport, Laurence	nideout, Leon			
	•	GRAFTON		
Bailey, Brad	Brown, Duane	Johnson, Eric	Hull, Robert	
Ingbretson, Paul				
HILLSBOROUGH				
Adams, Christopher	Griffin, Barbara	Boehm, Ralph	Burt, John	
Coffey, James	Eastman, Eric	Edelblut, Frank	Ferreira, Elizabeth	

Gonzalez, Carlos

Infantine, William

Marston, Dick

Ulery, Jordan

Notter, Jeanine Seidel, Carl

Gagne, Larry

Hopper, Gary

Murphy, Keith

Scontsas, Lisa

Twombly, Timothy

LeBrun, Donald

Gould, Linda

Jeudy, Jean

Ohm, Bill

McLean, Mark

Simmons, Tammy

Sullivan, Victoria

Hogan, Edith

Moore, Josh

Christie, Rick

Souza, Kathleen

Lachance, Joseph

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Marple, Richard	Martin, John	Seaworth, Brian	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bush, Carol
Cook, Allen	Thomas, Douglas	Gannon, William	Green, Dennis
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter	McKinney, Betsy
Prudhomme-O'Brien, Katherine	Gordon, Richard	True, Chris	Tucker, Pamela

STRAFFORD

DeLemus, Susan	Graham, Robert	Gray, James	Groen, Warren
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Wuelper, Kurt	

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted and ordered to third reading.

Rep. Eastman voted Nay and intended to vote Yea.

HB 1701-FN, relative to specialty care in drop-in or walk-in clinics. INEXPEDIENT TO LEGISLATE.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies licensure for facilities offering specialty care for drop-in or walk-in patients. This bill presented extensive controversy in the committee debate that it decided the best course of action was to ITL the bill rather than possibly do unexpected harm. Vote 16-1.

MOTION TO LAY ON THE TABLE

Rep. Joe Sweeney moved that **HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics, be laid on the table.

Motion adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Marple moved that the House reconsider it action whereby, on a roll call vote of 180-177, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid.

On a division vote, with 117 members having voted in the affirmative, and 211 in the negative, the motion failed.

REGULAR CALENDAR PART III CONT'D

HB 1126, limiting the authority of delegates to Article V conventions. INEXPEDIENT TO LEGISLATE.

Rep. Russell Ober for Legislative Administration. This bill establishes a procedure for the selection of delegates to an Article V Convention. An Article V Convention is a convention called by the states for the purpose of proposing amendments to the US Constitution. The bill is premature and unnecessary. There would be adequate time, if an Article V Convention were called, for determining the authority of delegates. The language of the bill places restrictions on delegates that may or may not be appropriate at that time. We should not be forcing our representatives into positions which could change if, or when, such a convention is called. Vote 7-1.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **HB 1126**, limiting the authority of delegates to Article V conventions, be laid on the table.

Motion adopted.

REGULAR CALENDAR PART III CONT'D

HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation. INEXPEDIENT TO LEGISLATE.

Rep. James Belanger for Municipal and County Government. This bill attempts to provide boilerplate zoning codes that would fit all communities from Vallejo, California, to Hollis, New Hampshire. Although the codes can be modified to fit local needs and desires, they are simply suggestions and communities in New Hampshire are already using them as suggested wording for their zoning regulations. If this bill passed and was adopted into our statutes, it would send a message to communities that this was the preferred method of adopting zoning which would conflict with their local authority. The committee felt there was no need to send suggestive language to communities who are very capable of developing their own language and are able to use the suggested codes without language from the state. Vote 14-0.

MOTION TO LAY ON THE TABLE

Rep. James Belanger moved that **HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation, be laid on the table.

On a division vote, with 306 members having voted in the affirmative, and 17 in the negative, the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HB 1359, relative to the tax credit for service-connected disability. INEXPEDIENT TO LEGISLATE. Rep. James Belanger for Municipal and County Government. The intent of this bill is something most would support as it recognizes the sacrifice our veterans have made for our freedom. But the bill ignores the financial status of veterans who qualify. It allows surviving spouses to be tax exempt if they enter into a civil union with a partner. It does not allow for veterans who are terminally ill from Agent Orange. The committee awaits the arrival of SB 348 on the same subject which addresses concerns over this House bill. Vote 16-0.

MOTION TO LAY ON THE TABLE

Rep. James Belanger moved that **HB 1359**, relative to the tax credit for service-connected disability, be laid on the table.

Motion adopted.

REGULAR CALENDAR PART III CONT'D

HB 1134, relative to open access to broadband infrastructure. INEXPEDIENT TO LEGISLATE. Rep. Herbert Vadney for Science, Technology and Energy. This bill posited that towns are blocking passage of high-speed internet cables from passing through their towns and thereby hindering the expansion of broadband internet access to citizens. The promoters of the bill could not cite any actual cases of such hindrance, but were basing the need on what they had heard from other people. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that HB 1134, relative to open access to broadband infrastructure, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 286 members having voted in the affirmative, and 33 in the negative, the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. INEXPEDIENT TO LEGISLATE.

Rep. Peggy McCarthy for State-Federal Relations and Veterans Affairs. This resolution recommends a very small investigation limited to one segment of the population. Benzodiazepines are prescribed to more than veterans and any investigation should look at all who have taken the drug plus the variety of other drugs being taken at the same time by this population. Testimony given said this is not a problem in New Hampshire. The Veteran's Association both nationally and in New Hampshire is already taking proactive steps to address the issues of prescription drug use and suicides by veterans. The decision made about drugs should be between a doctor and his or her patient. Vote 13-0.

MOTION TO LAY ON THE TABLE

Rep. Russell Ober moved that HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 277 members having voted in the affirmative, and 44 in the negative, the motion was adopted.

BILL REMOVED FROM THE CONSENT CALENDAR

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**.

Rep. Peter Leishman for Finance. This bill proposed to establish a new position of licensed alcohol and drug counselor (LADC) in the Department of Safety (DOS), Bureau of Emergency Medical Services. DOS revised its original request. The bill originally asked for one new staff position but requested funding for five new staff positions. DOS then asked for one consultant in FY 17 whose responsibilities would be to produce a written list of treatment resources for first responders to have. The list has already been developed and published by the Department of Health and Human Services and is available now. DOS will develop a well-thought-out plan for the consultant and submit it as part of the next budget. Consequently, the committee believes it would be more effective to use the state's limited funds for additional drug treatment programs as opposed to establishing these positions and/or hiring this consultant. Vote 26-0.

MOTION TO LAY ON THE TABLE

Rep. Lynne Ober moved that **HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, be laid on the table.

On a division vote, with 267 members having voted in the affirmative, and 52 in the negative, the motion was adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 6, 2016 at 10:00 a.m..

LATE SESSION

Third Reading and Final Passage

HR 20, memorializing State Representative Robert Luther of Laconia.

HB 1594-FN, relative to emergency medical services.

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

HB 1404-FN, relative to certain director positions in the insurance department.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

HB 1695-FN, relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

HB 1298, relative to damage to private property.

HB 1292, relative to the use of abandoned agricultural property.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers.

HB 1584-FN, relative to the discharge of a person committed for nonpayment of a fine.

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses.

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers.

HB 280-FN, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

HB 636-FN, relative to forfeiture of property.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.

HB 1531, permitting the legislature to open the state house on weekends.

HB 1553-FN, transferring the administration of the telecommunications accounting unit.

HB 602-FN, relative to the use of drones.

HB 1681-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.

HB 1231, relative to school district policy regarding objectionable course material.

HB 1300, relative to the content of patriotic exercises in public schools.

HB 1338, relative to student exemption from the statewide assessment.

HB 1637-FN, relative to school attendance in towns with no public schools.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

HB 1497, relative to the limits on disclosure of information used on college entrance exams.

HB 1144-L, relative to notice for sessions of correction of the check list.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 5:10 p.m.

RECESS

(Rep. Chandler in the Chair) ENROLLED BILL AMENDMENT

SB 110-FN, establishing the administrative supervision act. (Amendment printed SJ 3-24-16) Adopted.

RECESS

(Rep. Russell Ober in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 301.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENT

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Amendment printed SJ 3-24-16) Adopted.

SENATE MESSAGES CONCURRENCE

HB 1438-FN-L, relative to the registration of antique trailers.

NONCONCURRENCE

HB 661-FN, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 308, 324, 326, 336, 337, 341, 342, 345, 347, 348, 362, 374, 376, 379, 381, 387, 391, 394, 401, 402, 404, 415, 416, 417, 421, 423, 430, 431, 432, 439, 452, 456, 466, 475, 481, 482, 488, 491, 492, 494, 495, 496, 503, 506, 509, 510, 515, 519, 521, 527, 532, 533, 535, 539, 540, 541, 544, 546, 547, 552, 553, Senate Concurrent Resolution numbered 3 and 4, and Constitutional Amendment Concurrent Resolution numbered 27 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS, SCRS AND CACR

First, second reading and referral

- SB 308, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)
- SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration)
- SB 326, relative to the membership of the community college system of New Hampshire board of trustees. (Education)
- SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)
- SB 337, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary)
- SB 341, establishing a committee to study guardianship in New Hampshire. (Judiciary)
- SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Ways and Means)
- SB 345, relative to the definition of agritourism. (Environment and Agriculture)
- SB 347, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government)
- SB 348, allowing municipalities to adopt a property tax exemption for certain disabled veterans. (Municipal and County Government)
- SB 362, requiring notice to planning boards of placement of signs on scenic byways. (Transportation)
- SB 374, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development)
- SB 376-FN, relative to wildlife corridors. (Fish and Game and Marine Resources)
- SB 379, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety)
- **SB 381,** relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)
- SB 387, relative to the disposition of ward accounts. (Judiciary)
- SB 391, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety)
- SB 394, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)
- **SB 401-FN**, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs) **SB 402**, relative to procedures related to the disclosure of exculpatory evidence by police officers. (Judiciary)
- **SB 404**, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law)
- SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture)
- **SB 416,** relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services)
- SB 417, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)
- SB 421, relative to liability of governmental units. (Executive Departments and Administration)

SB 423, relating to the right of 17-year olds to register to vote. (Election Law)

SB 430, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs)

SB 431, relative to data submission by insurers. (Commerce and Consumer Affairs)

SB 432, relative to itemized bills for medical services. (Commerce and Consumer Affairs)

SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration)

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law)

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case. (Children and Family Law)

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. (Criminal Justice and Public Safety)

SB 481-FN, relative to a special health care service license and establishing a fund. (Health, Human Services and Elderly Affairs)

SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities. (Municipal and County Government)

SB 488-FN-L, relative to breastfeeding. (Commerce and Consumer Affairs)

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Health, Human Services and Elderly Affairs)

SB 492-FN, relative to expenditures from the energy efficiency fund. (Science, Technology and Energy)

SB 494-FN-A, limiting an exemption from the road toll. (Ways and Means)

SB 495-FN-A, relative to state retiree health plan costs and funding. (Finance)

SB 496-FN, relative to personal care attendant services. (Health, Human Services and Elderly Affairs)

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. (Education)

SB 506, clarifying who may adopt. (Judiciary)

SB 509-FN, relative to voter registration forms and relative to voter identity verification. (Election Law)

SB 510-FN, relative to parking at state park parking meters. (Transportation)

SB 515-FN, relative to child neglect and other changes to the child protection act. (Children and Family Law)

SB 519, relative to highway signs. (Transportation)

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. (Resources, Recreation and Development)

SB 527-FN-A, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. (Finance)

SB 532-FN, relative to prior authorization for substance abuse treatment. (Commerce and Consumer Affairs)

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. (Health, Human Services and Elderly Affairs)

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs)

SB 539, relative to access to records under the child protection act. (Criminal Justice and Public Safety) SB 540-FN, relative to the possession, use, or sale of kratom by any person under 18 years of age.

(Criminal Justice and Public Safety)

SB 541, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs)

SB 544, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)

SB 546-FN, relative to petitions for verification of checklists. (Election Law)

SB 547, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs)

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)

SB 553, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)

SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)

SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

CACR 27, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. (Finance)

RECESS

(Rep. Bates in the Chair) ENROLLED BILL AMENDMENT

SB 238-FN, relative to the workers' compensation appeals board. (Amendment printed SJ 3-31-16) Adopted.

RECESS

(Rep. Andrew Christie in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 380.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Rosenwald in the Chair) ENROLLED BILL AMENDMENT

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

Amendment (1246-EBA)

Amend RSA 404-G:2, X-c as inserted by section 9 of the bill by replacing line 2 with the following: to RSA 126-A:5, XXV. Adopted.

SENATE MESSAGE CONCURRENCE

HB 242, relative to the statewide improvement and assessment program.

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

HB 1171, relative to appeals heard by the waste management council.

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels.

HB 1315, adding mixed-use development to the definition of business and industrial facility.

HB 1355, relative to poultry producers exempted from meat inspection requirements.

HB 1388-FN, expanding crossbow use into muzzeloader season.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies.

HB 1419, relative to voting records in nonpublic sessions of public bodies.

REFERRED FOR INTERIM STUDY

HB 183, relative to voter registration forms.

NONCONCURRENCE

HB 110, relative to placement of political advertising.

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Edgar assigned to the Committee on Labor, Industrial and Rehabilitative Services.

RECESS

(Rep. Emerson in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1696.

Rep. Hinch, Sen. Soucy for the Committee

SENATE MESSAGE CONCURRENCE

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Edgar is off the Committee on Labor, Industrial and Rehabilitative Services and on the Committee on Fish and Game and Marine Resources.

Rep. Zaricki is off the Committee on Labor, Industrial and Rehabilitative Services.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

HOUSE JOURNAL NO. 11

Wednesday, April 6, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

A Scottish Blessing for Tartan Day

May the blessing of light be on you - light without and light within.

May the blessed sunlight shine on you like a great peat fire,

So that strangers and friends may come and warm themselves at it.

And may light shine out of the two eyes of you,

like a candle set in the window of a house,

bidding the wanderer come in out of the storm.

And may the blessing of the rain be on you,

may it beat upon your spirit and wash it fair and clean,
and leave there a shining pool where the blue of heaven shines,

and sometimes a star.

And may the blessing of the earth be on you,

soft under your feet as you pass along the roads,

soft under you as you lie out on it, tired at the end of day;
and may it rest easy over you when, at last, you lie out under it.

and may it rest easy over you when, at last, you lie out u
May it rest so lightly over you
that your soul may be out from under it quickly;
up and off and on its way to God.
and now may the Lord bless you,
and bless you kindly. Amen.

Representative Peter Leishman, member from Peterborough, and Representative Dan Eaton, member from Stoddard, led the Pledge of Allegiance.

The National Anthem was sung by Elizabeth Fortin of Peterborough.

LEAVES OF ABSENCE

Reps. Barry, Ronald Belanger, Bridge, Chris Brown, Chirichiello, Comtois, Cote, DiFranco, Gargasz, Gonzalez, Gladys Johnsen, Kellogg, LeBreche, Massimilla, Carol McGuire, Milz, Moody, Phillips, Priestley, Chip Rice, Sanders, Shaw, Joe Sweeney and Verschueren, the day, illness.

Reps. Ammon, Duane Brown, Dumais, Friel, Heath, Jones, Douglas Long, Lundgren, O'Hearne, O'Neil, Oligny, Parison, Seaworth, Marjorie Smith, Suzanne Smith, Soucy, Spillane, Sprague, Tamburello, Gerald Ward and Webb, the day, important business.

Reps. James Belanger, Rebecca Brown and Harvey, the day, illness in the family.

Rep. O'Connor, the day, death in the family.

INTRODUCTION OF GUESTS

Eric Scheuch and Charlotte Perkins, students at Kearsarge Regional High School, Pages for the day.

John Fortin, husband of the singer, guest of Rep. Leishman. Jim and Mary Wojdylak, Seamus and Buddy Sullivan, parents and sons of Rep. Victoria Sullivan. Lynda Hunt, Katelyn and Ella Churchhill, Gloria Sweeney, Terri Wiltse, Lois Meredith, Ellen Avery, Sue Butman, and David Bruce; wife, step-daughter, granddaughter, mother-in-law and guests of Rep. Hunt. Ken Dassau, guest of Rep. Gallagher. Chris Roundy, guest of Rep. Southworth. Melissa Cunliff, guest of Rep. Stevens. John Lunn, guest of Rep. Irwin. Scott Webster, and Sherry Thompson, guests of Rep. Joanne Ward. Marcus Hermansen, guest of Rep. Rosenwald. Bethany Leak, and Matt Dustin, guests of Rep. Ratzki. Allyson Zacker, guest of Rep. Mangipudi. Charlene Lovett, Middleton Goodwin, and Susan Johnson, guests of the Claremont Delegation. Students from Bud Carlson Academy, guests of the Rochester Delegation. Students from Saint Mary Academy, guests of the Dover Delegation.

The Clerk read the following:

A PROCLAMATION NEW HAMPSHIRE TARTAN DAY APRIL 6, 2016

WHEREAS, the Declaration of Arbroath, pronouncing Scottish independence, was signed at Arbroath Abbey on April 6, 1320, by Bernard de Linton, Chancellor of Scotland; and

WHEREAS, helping to expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

WHEREAS, the United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

WHEREAS, nearly half the signers of the Declaration of Independence and nine of the country's original governors, including New Hampshire's governor, were of Scottish descent; and

WHEREAS, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine, education, politics, business, and the arts; and

WHEREAS, the United States Senate has passed a resolution designating April 6th of each year as National Tartan Day; and

WHEREAS, the Saint Andrew's Society of New Hampshire, along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts, and thousands of citizens who claim Scottish heritage in the state support Scottish Heritage Day;

NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR of the State of New Hampshire, do hereby proclaim APRIL 6, 2016, as NEW HAMPSHIRE TARTAN DAY and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given this 5th day of April, in the year of Our Lord two thousand and sixteen, and the independence of the United States of America, two hundred and forty.

Margaret Wood Hassan, Governor

TARTAN DAY PROGRAM

Rep. Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Marielle Webster, Sveta Gerace, Anna Gordon, Hazel Dellario, Laura and Sebastian Benedetto and Campbell Webster. Pipers from the NH Pipe & Drums played the lament in memory of Representatives Robbie Parsons and Robert Luther.

Rep. Joanne Ward offered a Scottish blessing.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and,

May God fill your heat with gladness to cheer you.

MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred SB 324 to the Committee on Resources, Recreation and Development.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of SB 506, clarifying who may adopt, to the Committee on Judiciary.

Motion adopted.

The Speaker referred SB 506 to the Committee on Children and Family Law.

MOTION TO VACATE

Rep. Tholl moved that the House vacate the reference of SB 539, relative to access to records under the child protection act, to the Committee on Criminal Justice and Public Safety. Motion adopted.

The Speaker referred SB 539 to the Committee on Children and Family Law.

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 499, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Amendment printed SJ 3-17-16)

Rep. Haefner moved that the House concur and spoke in favor.

Motion adopted.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board. (Amendment printed SJ 1-14-16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

HB 377, establishing a state geographic information system committee. (Amendment printed SJ 3-24-16)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Amendment printed SJ 3-31-16)

Rep. Chandler moved that the House concur and spoke in favor.

Motion adopted.

HB 351, exempting historically significant vehicles from emission control requirements. (Amendment printed SJ 3-24-16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

HB 353, relative to the governance of condominium unit owners' associations. (Amendment printed SJ 1-14-16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Harold French, Biggie and Williams.

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA1. (Amendment printed SJ 2-4-16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Gagnon.

HB 285, relative to discussion with legal counsel under the right-to-know law. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 606-FN-L, relative to costs for public records filed electronically. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Amendment printed SJ 1-21-16)

Rep. Hinch moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hinch, Packard, Russell Ober and Weber.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 498-FN, relative to penalties for possession of certain controlled drugs, removed by Rep. Sylvia. SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships, removed by Rep. Ladd.

SB 441-FN, relative to discounts and admission without charge at state parks, removed by Rep. Horrigan. Consent Calendar adopted.

SB 25-FN, relative to the administration of epinephrine. OUGHT TO PASS.

Rep. Victoria Sullivan for Education. This bill establishes procedure for the administration of epinephrine, which is a life-saving medication that is administered at the onset of anaphylaxis, by certain authorized entities. This bill also provides immunity to school personnel who administer the epinephrine. Vote 17-0.

SB 312, relative to epinephrine administration in independent schools. OUGHT TO PASS.

Rep. John Balcom for Education. This bill extends the placement of auto-injectable epinephrine to independent and postsecondary educational institutions. Vote 17-0.

SB 314, relative to the membership of the higher education commission. OUGHT TO PASS. Rep. Robert Elliott for Education. This bill simply changes the name already in law as the NH Council for Professional Education to the American Council for Professional Education and Training. Vote 16-0.

SB 316, relative to placement decisions by a child's individualized education program team. OUGHT TO PASS.

Rep. James Grenier for Education. This bill addresses potential concerns arising from the passage of HB 610 (Chapter 125, Laws of 2015, relative to a school board vote on the reassignment of a pupil) passed last year. That bill amended RSA 193:3, III to require school boards of both receiving and sending school districts to approve placement for a change of school assignment. Placement of a child with a disability is the responsibility of the IEP team and not the sending school board. This bill clarifies this difference. Vote 17-0.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. OUGHT TO PASS.

Rep. Ralph Boehm for Education. This bill allows school districts, at their discretion, to have bronchodilators, spacers or nebulizers on hand in the schools. These will most likely be provided by the drug companies, as are EPI-Pens. Students currently have the ability to carry their own and/or leave them in the nurse's office. This bill protects students with asthma who forget their inhaler, or fail to provide one to the school nurse for protection in an emergency situation. Vote 17-0.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. OUGHT TO PASS.

Rep. Barbara Shaw for Education. This bill allows for the possibility of cost saving efforts through a shared business administrator among school districts in transportation, maintenance, purchasing and many other areas. Efficiency and best use of taxpayers money is always a plus. Passing this legislation will give municipalities and schools options which will allow savings in financial administration of the towns funds. Vote 19-0.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. OUGHT TO PASS.

Rep. John Balcom for Education. This timely bill establishes a committee to address problems and potential solutions with current threat notification systems linking schools under threat to law enforcement using dependable communications. The committee unanimously supported the bill. Vote 19-0.

SB 371, relative to school lunch meal payment policies. OUGHT TO PASS.

Rep. Mary Gile for Education. This bill proposes standards that hold parents responsible for payment of their child's school lunch, not children. Some schools have introduced practices that force students whose parents are delinquent to go to the principal's office, or stand in a different line for a lunch of lesser appeal and quality, or limit the participation in school activities e.g. field trips, etc. Such practices can demean, embarrass and humiliate students and should not be allowed. Although this bill is not a mandate; it does however, set forth criteria for districts to follow in the implementation of school lunch payment policies. Vote 19-0.

SB 373, relative to the information technology infrastructure in public schools. INEXPEDIENT TO LEGISLATE.

Rep. Christopher Adams for Education. This bill establishes a committee to study the feasibility of using school building aid funds to upgrade the information technology infrastructure in the public schools for the purpose of enabling the establishment of virtual classrooms. Current funding for school building aid is frozen in the current budgeting cycle and if funding begins in future budgeting cycles there are numerous districts with multiple school buildings greatly in need of support to address safety and physical plant issues. While the committee fully recognizes the importance of having adequate broadband access for educational purposes, this bill is not the vehicle needed to satisfy this issue. Vote 19-0.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. OUGHT TO PASS. Rep. Barbara Shaw for Education. This bill requires background checks to conform with federal law as required by CCDBG Act (Child Care and Development Block Grant). This new process is more comprehensive and provides additional safety measures for children within these institutions. A government card will be issued as verification of background check completion. In order to receive the CCDBG funds, states must comply by September 30, 2017. Vote 19-0. Referred to the Committee on Criminal Justice and Public Safety.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. OUGHT TO PASS WITH AMENDMENT.

Rep. Steven Beaudoin for Executive Departments and Administration. This bill allows any retired member of the NH Retirement System (NHRS) to terminate the election of a single non-spouse beneficiary past the current 120-day statutory limit. If this option is exercised, the retiree's pension benefit would change to the amount that would have been paid if no beneficiary had been selected. The amendment allows a retiree to terminate the election of a former spouse as a beneficiary based on the terms of a final divorce decree in which the former spouse renounces any claim to the benefit. Vote 17-1.

Amendment (1109h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

- 2 Retirement System; Optional Allowances; Divorce. Amend RSA 100-A:13, II(a)(1) to read as follows:
- (1) Terminate such elected option upon the issuance of a divorce decree and subsequent remarriage of the former spouse, or in accordance with the terms of the final divorce decree or final settlement agreement which provides that the former spouse shall renounce any claim to a retirement allowance under RSA 100-A. Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Notice of such termination shall be given by the retiree on a form designated by the board. Payment of the converted allowance shall commence on the first day of the month following receipt of termination by the board. For any retiree whose divorce and the subsequent remarriage of the former spouse occurred on or before July 1, 1990, the notice shall be given to the board on or before October 1, 1990. Said termination action shall become effective on the first day of the month following receipt of such notice by the board. If the retiree dies after giving valid notice of such termination but before the effective date, the option shall terminate as of the date of the retiree's death.

AMENDED ANALYSIS

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance. The bill also allows for the termination of an optional allowance in accordance with a final divorce decree or final settlement agreement.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the governorelect to appoint an inaugural treasurer and report expenditures and contributions related to the inauguration. As the prime sponsor of this bill explained, the core purpose of this legislation is to ensure transparency and permit public access to information about these contributions. Vote 13-0.

SB 313, relative to requirements for licensed estheticians. OUGHT TO PASS WITH AMENDMENT. Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended, will allow required training credit hours accumulated in order to be licensed as a massage therapist to count toward training credit hours required for an esthetician's license. Coursework may only be applied to the requirements for an esthetician's license as long as the content of the courses has been determined to be equivalent by the Board of Barbering, Cosmetology, and Esthetics. Vote 13-0.

Amendment (1096h)

Amend RSA 313-A:13 as inserted by section 1 of the bill by replacing it with the following:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. An apprenticeship approved by the board may substitute for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetology or barber program in a school approved by the board upon certification of the training by the school. *Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board.* Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

AMENDED ANALYSIS

This bill allows a licensed massage therapist to satisfy training requirements for licensure as an esthetician with training deemed equivalent by the board of barbering, cosmetology, and esthetics.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. OUGHT TO PASS WITH AMENDMENT.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill adds the definitions of "adult child," "dependent child," and "stepchild" for the purposes of determining survivor benefits for families of police officers and firefighters killed in the line of duty. The committee heard testimony of a recent situation involving two daughters of a police officer who died in the line of duty. One daughter was under the age of 18 and the other was over the age of 18. Both, however, were still dependent upon their father's financial assistance. Because the law relative to survivor benefits referenced only dependent children under the age of 18, only one of his children was eligible to receive these benefits. The committee felt that this was clearly not the intent of the law. Vote 17-1.

Amendment (1210h)

Amend the bill by replacing section 1 with the following:

1 Survivor Benefits. Amend RSA 21-I:29-a, I to read as follows:

I. In this section:

(a) "Adult child" means a child, whether by blood or adoption, of the police officer or firefighter, age 18 or older at the time of death of such police officer or firefighter and who does not meet the definition of a dependent child.

- (b) "Dependent child" means a child, whether by blood or adoption, or stepchild of the police officer or firefighter who:
- (1) Is under the age of 25 and was dependent on the earnings of the police officer or firefighter at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or

(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer or firefighter at the time of death.

- (c) "Family" means the surviving spouse of the police officer or firefighter who was wholly or partially dependent, in fact, upon the earnings of the police officer or firefighter; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer or firefighter. [A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.]
- [(b)] (d) "Firefighter" means any firefighter, including auxiliary, intermittent, special, parttime, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.
- [(c)] (e) "Killed in the line of duty" means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.
- [(d)] (f) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.
- (g) "Stepchild" means an individual who is the legally adoptive or biological first generation offspring of the police officer's or firefighter's current, deceased, or former spouse conceived before the marriage of the police officer or firefighter and the spouse.

 Referred to the Committee on Finance.

SB 332, relative to state procurement of goods and services. OUGHT TO PASS.

Rep. J.R. Hoell for Executive Departments and Administration. The bill does four separate things: first, the bill increases the spending that can be done via a debit card or field purchase order from \$500 to \$1,000. This is in keeping with the costs for a project where a debit card or field purchase order would be used. The administrative costs for some of these low dollar purchase orders add up quickly. Secondly, the bill establishes an Advisory Committee on State Purchases. This is an ongoing committee looking for ways to improve the efficiency of government. The committee is required to issue a report yearly with their findings. Thirdly, the bill updates the ethics section on bidding and disqualifies someone who violates the statutes from bidding on future proposals. Lastly, the bill keeps bid packages confidential until the bid is awarded either via the Governor and Council or the agency/department. This way, competitors cannot obtain a copy of their competitor's proposal and seek to undercut them on the bid without doing the work of creating a bid package. Vote 13-0.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. **OUGHT TO PASS**.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Trustees of the retirement system to designate a presiding officer in an appeal of an initial determination relative to a member's qualification for ordinary or accidental disability benefits. The presiding

officer may not be the same person who made the initial determination. Currently, if a member is deemed not eligible for disability benefits, the hearing officer who makes that determination is the same individual who hears an appeal, if one is made. While there was no evidence presented that this process was materially unfavorable to applicants of disability benefits, the committee agreed with the sponsors that on its face the process had the potential to be unfair to the applicant. Vote 17-0.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This is a pure housekeeping bill brought to add two members to the Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury. It also updates the name of one of the organizations represented on the commission from the NH Deployment Cycle Support Program to the Care Coordination Program of NH. Vote 13-0.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the fiscal year of the Board of Embalmers and Funeral Directors from a calendar year basis to align it with the NH state government fiscal year that ends in June. It also converts the licenses issued by the board from one year to two years. There is no increase in the cost to licensees on an annualized basis. Thus, this is essentially a housekeeping bill. Vote 13-0.

SB 400, relative to executive branch ethics. OUGHT TO PASS WITH AMENDMENT.

Rep. Andrew Christie for Executive Departments and Administration. This bill makes several modifications to the Executive Branch Code of Ethics. It clarifies the definition of executive branch official, modifies the restrictions on appointees to the Executive Branch Ethics Committee by permitting them to hold non-partisan elected office, and adds a provision permitting any person to request an interpretive ruling on the applicability of laws under the jurisdiction of the committee. Vote 16-0.

Amendment (1193h)

Amend the bill by replacing section 8 with the following:

- 8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:
- I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials [who are not classified employees].
- II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials [who are not classified employees], provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

Amend the bill by replacing section 10 with the following:

10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:

- I. The committee shall be authorized to:
- (a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.
- (b) Issue interpretative rulings explaining and clarifying any law, guideline, or rule[, or regulation] within the jurisdiction of the committee.
- (c) Render [an] advisory [opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the

person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public] opinions in accordance with RSA 21-G:31-a.

- (d) Receive sworn complaints, investigate allegations of violations of this subdivision [or guidelines adopted thereunder] by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.
- (e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated. Amend the bill by replacing section 12 with the following:
- 12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:
 - 21-G:31-a Advisory Opinions; Procedure.
- I. Any executive branch official may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.
- II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.
- 21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.

SB 406-FN, relative to classification of certain state employee positions. OUGHT TO PASS. Rep. Peter Schmidt for Executive Departments and Administration. This bill is housekeeping legislation to implement and codify certain previous decisions of the Joint Committee on Employee Classification (JCEC), as required by statute and requested by the JCEC. This is the final step in the process for designating or reassigning salary grade levels for unclassified positions. Vote 17-0. Referred to the Committee on Finance.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. OUGHT TO PASS WITH AMENDMENT. Rep. Mark Proulx for Executive Departments and Administration. This bill makes housekeeping changes to laws governing private investigators, security guards and bail recovery agents. In order to simplify the regulatory structure, it puts the regulation of bail recovery agents solely under the jurisdiction of the Department of Safety. It adds a new member to the advisory board to make it more balanced and representative of the regulated professions. The bill also streamlines and updates continuing education and firearm qualification requirements. The amendment extends the term of the license for bail recovery agents from one year to two years. Vote 15-1.

Amendment (1152h)

Amend RSA 597:7-b, II as inserted by section 12 of the bill by replacing it with the following:

II. Any person who operates as a bail recovery agent in this state, excluding licensed private detectives, shall be trained and certified through a program approved by the Professional Bail Agents of the United States or other training program approved by the commissioner of safety and shall [register annually] be licensed with the [secretary of state] department of safety under RSA 106-F. Licensees shall also meet proficiency requirements under RSA 106-F:8-a. The [secretary of state] department of safety shall issue to each [registered] licensed bail recovery agent proof of such [registration] licensure. [Effective July 1, 2000.] Each bail [agency] recovery agent operating in this state shall [annually] provide to the [secretary of state] department of safety proof of liability

insurance coverage in the amount of \$300,000 for bail recovery activities [of the agency's bail agents and bail recovery agents]. This proof of insurance coverage shall be provided before the [agency's] bail [agents are] recovery agent is licensed or relicensed[, and before the agency's bail recovery agents are registered or reregistered] by the department of safety. [Bail recovery agents acting as independent contractors shall provide proof of liability insurance coverage in the amount of \$300,000 to the secretary of state before registration or reregistration.] Licenses shall be valid for 2 years after the date of issuance and shall be renewed every 2 years thereafter, upon application and payment of the fee and submission of continuing proof of the required liability insurance coverage. The application for renewal shall be submitted at least 15 days before the expiration of the previously granted license. Any person who operates as a bail recovery agent in this state without meeting [such certification, insurance, and registration] the licensure and relicensure requirements shall be guilty of a class [A] B misdemeanor for the first offense and a class A misdemeanor for a second offense within a 7-year period.

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. OUGHT TO PASS.

Rep. Kurt Wuelper for Judiciary. This bill allows judges who could never become eligible for retirement to opt out of the judicial retirement system. The committee thought it good to offer them this option. Vote 16-0.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. OUGHT TO PASS.

Rep. Judith Spang for Resources, Recreation and Development. This lot line adjustment was examined and brought to us by the Department of Resources and Economic Development. The Bradford Pines area was established as a state Natural Area which means it is to be retained by the state for future generations. However, an abutter discovered that a previous owner had intruded upon the Natural Area with a corner of a building, driveway and utilities. The landowner has agreed to swap the encroaching land for an equal amount of more valuable land along the Warner River, through a process set forth in RSA 4:40. Vote 15-0.

SB 378, relative to the availability of net metering tariffs. OUGHT TO PASS WITH AMENDMENT. Rep. Douglas Thomas for Science, Technology and Energy. This bill will prevent an entity from reserving an undue portion of the new net metering capacity created by HB 1116, as already passed by the House, prior to the Public Utilities Commission (PUC) making a decision on a new net metering tariff and possible cap. It amends RSA 362-A:9 to limit the amount of reserved net metering interconnections that a single entity can hold to 20 percent of the total net metering utility-specific allocation. It requires the PUC to review group net metering agreements, requires each electric utility to make certain information on net metering allocation and capacity available on its website, and requires all persons involved in a net metering interconnection queue application for a project greater than 100 kilowatts to sign a certificate of compliance relative to the 20 percent limit. It contains a non-specific sunset provision that goes into effect upon a final decision by the PUC that sets a tariff and eliminates any cap on net metering. Vote 19-0.

Amendment (1199h)

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph I the following new paragraph:

I-a. No person, owner, developer, installer of an eligible customer-generator facility, business organization, or any subsidiary thereof, shall reserve capacity space in the net metering interconnection queue more than 20 percent of the total net metering utility-specific allocation pursuant to this section, and the creation of multiple business organizations, including a person, as defined in RSA 366:1, I, by the same shall not defeat this requirement. On a weekly basis each utility shall make public on its website its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. For project applications of greater than 100 kilowatts, each utility net metering interconnection queue application shall include a certification of compliance with the 20 percent requirement, all persons involved in such an application shall sign the certification of compliance, and no application shall be processed where one or more persons involved in the application did not sign the certification of compliance.

- 3 Repeal. RSA 362-A:9, I-a, relative to net energy metering, is repealed.
- 4 Applicability. Section 3 of this act shall take effect upon a final decision of the commission which is not subject to appeal that sets a tariff and eliminates any cap on net metering as certified to the director of legislative services and the secretary of state.
 - 5 Effective Date.
 - I. Section 3 of this act shall take effect as provided in section 4 of this act.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Requires the public utilities commission to review net metering agreements between group hosts and group members.
- II. Requires an electric utility to make certain information on net metering allocation and capacity available on its website on a bi-weekly basis.
- III. Requires all persons involved in a net metering interconnection queue application to sign a certificate of compliance.

MOTION TO SPECIAL ORDER

Rep. Cloutier moved that SB 152, relative to criminal history records checks for school employees and designated school volunteers, be made a Special Order as the first order of business on the Regular Calendar.

Rep. Cloutier spoke in favor.

Motion adopted.

SPECIAL ORDER

SB 152, relative to criminal history records checks for school employees and designated school volunteers. MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. John Balcom for the Majority of Education. This bill provides that information relating to any crime committed by a school employee or a designated school volunteer may be used in making a hiring decision. The majority of the committee believed that this legislation is similar to a bill passed by the House in the 2015 session; and for the safety of our students, we need to pass this senate bill. The bill's intent is to prevent known predators or criminals from accessing our schools by allowing the release of information regarding convictions of applicants for any felonies and misdemeanors, Vote 17-2. Rep. Christopher Adams for the Minority of Education. This bill addresses a critical issue in the hiring of school district staff and ensuring these individuals are properly vetted and have no criminal history that may indicate a danger to students and staff that they will come into contact with on a daily basis. Last year, the House passed a similar bill that would have enacted these protections by widening the scope of reported incidents from felony convictions to both felony and misdemeanor convictions being reported. Unfortunately, this bill narrows the dispersion of the information reported and the scope of decision making process to only the superintendent in a district thus causing potential overwork and an avenue for personal bias in the decision making process. The bill also muddies the water in the application of this law to non-public schools that may not have a superintendent or chief executive officer as defined in the legislation even though they may wish to perform these criminal history checks. If they choose to perform these checks they must comply with the legislation despite not having the prescribed official. They may have a qualified staff professional or agency that is bonded and insured to perform such evaluations do this work for them. This legislation would prohibit that. Last, the legislation broadens discretionary application of this law beyond being convicted of a felony or misdemeanor to any crimes that may potentially have been of a civil or commercial nature, such as being convicted of breach of peace for protesting at a political event or in opposition to building a pipeline through your property.

The question being adoption of the majority committee report of Ought to Pass. Rep. Adams offered minority committee amendment (1105h).

Minority Amendment (1105h)

Amend RSA 189:13-a, I-V as inserted by section 1 of the bill by replacing it with the following:

I.(a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of

employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section. [A school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section. With respect to a nonpublic school, as used in this section, "superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee" means the person or persons designated by the nonpublic school to fulfill the duties set forth in this section.

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies *or misdemeanors*, or of charges pending disposition for or convictions of the applicant of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee. [Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy. The school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the [school administrative unit, school district, chartered public school, or public academy superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall destroy the information received immediately following [its] review of the information. If the criminal history records information indicates that the applicant has been convicted of [a felony] any crime or has been charged pending disposition for or convicted of a crime listed in paragraph V, the [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or

public academy, or designee, shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. [By decision of the appropriate governing body, a school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, may deny a selected applicant a final offer of employment if such person has been convicted of any [felony] crime in addition to those listed above. The governing body of a school district, chartered public school, or public academy may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired. Rep. Adams spoke in favor.

Rep. Ladd spoke against.

Minority committee amendment failed.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

REGULAR CALENDAR CONT'D

SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. This bill establishes the statewide drug offender grant program. At the hearing it was determined that the bill title referenced revenue issues. Upon thorough review of the bill the committee concluded that there were no references to taxes or fees required to accomplish the goals of the program. The bill requires expenditure approval in order to implement the drug offender grant program. The vote of the committee is a procedural vote only. The vote of the committee should not be construed as a policy decision because the policy addressed by the bill is not within the jurisdiction of the House Ways and Means Committee. Vote 17-0.

Committee report adopted and referred to the Committee on Finance.

SB 339-FN, relative to required DNA analysis for certain offenses. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, or any offense against a child, or any other felony offense prohibited by NH laws, or "...another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill adds the language "... or any person declared not guilty by reason of insanity or civilly committed to the department of corrections." This addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is

a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, this bill would serve both as a deterrent and a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 10-3.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority recognizes that this bill would impact some people who have never engaged in, committed, or been charged with a crime, but who have severe mental illnesses that resulted in them being involuntarily committed to state institutions. Under RSA 135-C, people with mental illnesses are involuntarily committed to the state hospital, and under RSA 622:45 some of those acute patients, those whose illness pose a threat to themselves or others, are transferred to and civilly committed to the Department of Corrections Secure Psychiatric Unit. Mental illness is a medical condition, not a crime. The minority believes that, notwithstanding the current practice of the state comingling people civilly committed with those who have been convicted of crimes in the Secure Psychiatric Unit, the legislature should not require those who have never been accused of or committed a crime to submit to have a DNA sample be taken for DNA analysis to determine identification characteristics specific to that person. We should treat all patients the same when it comes to DNA testing for identification characteristics, and singling out those with mental illness for testing violates the concept of health care parity and equal treatment under the law.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Cushing spoke against.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 389-FN, relative to the penalty for possession of multiple firearms. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill is a very narrow piece of legislation to amend the armed career criminals statute (RSA 159:3-a). If this change was to be enacted, it would negatively affect the prosecutor's discretion in prosecuting armed career criminals. There was no testimony other than a co-sponsor. The NH Supreme Court has recently upheld the constitutionality of this statute. The majority of the committee, after much deliberation, came to the conclusion that the prosecutor is the best person to decide how to proceed in the prosecution of individual cases of armed career criminals. This bill is looking to solve a problem which does not exist in current law. Vote 8-3.

Committee report adopted.

SB 320, relative to non-academic surveys administered by a public school to its students. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ralph Boehm for the Majority of Education. This bill changes current law to require parents, or guardians to give permission (opt-in) on all non-academic surveys or questionnaires except for the Centers of Disease Control and Protection (CDC) risk survey which requires an opt-out by parents or guardians. The amendment fixes language and makes it clear that only the CDC survey is opt-out. The bill also makes it clear that students under 18 cannot give permission for taking the survey. Vote 11-9.

Rep. June Frazer for the Minority of Education. The minority on this bill feel strongly that this matter is an issue of local control and a policy would more appropriately be left to local school districts. The bill also creates confusion in making one exception to the rule opt-in and another opt-out. Finally, it is feared that such a law might interfere with important research.

Majority Amendment (1143h)

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. [The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.] In this paragraph, "nonacademic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (1240h).

Floor Amendment (1240h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Amend the bill by replacing all after the enacting clause with the following:

- 1 State Board of Education; Duties. Amend RSA 186:11, IX-b, IX-c, and IX-d to read as follows: IX-b. Health and Sex Education. Require school districts and chartered public schools to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.
- IX-c. Require school districts and chartered public schools to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee, or designated chartered public school official in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district or the chartered public school and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.
- IX-d. Require school districts and chartered public schools to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts and chartered public schools to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district or chartered public school shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.
 - 2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill adds references to include chartered public schools in the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Ladd spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 52 NAYS 274

YEAS - 52 CARROLL

Butler.	Edwar	'n

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Eaton, Daniel	Ley, Douglas	Pearson, William
Robertson, Timothy	Shepardson, Marjorie		

COOS

Froburg, Alethea

GRAFTON

Abel, Richard	Cooney, Mary	Maes, Kevin	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Roberts, Carol	Edwards, Elizabeth	Freitas, Mary	Herbert, Christopher
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	McNamara, Richard
Brown, Pamela	Shattuck, Gilman	Vann, Ivy	Williams, Kermit

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Hirsch, Geoffrey	Frazer, June	Karrick, David	Luneau, David
Rogers, Katherine			

ROCKINGHAM

Cali-Pitts, Jacqueline	Cushing, Robert	Edgar, Michael	Lovejoy, Patricia
Gordon, Pamela	Prudhomme-O'Brien, Katherine	Sherman, Thomas	

STRAFFORD

Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Spang, Judith
Stevens, Audrey			

SULLIVAN

Converse, Larry Oxenham, Lee

NAYS - 274 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Fisher, Robert	Flanders, Donald	Gallagher, Brian	Howard, Raymond
Hurt, George	Spanos, Peter	Sylvia, Michael	Fraser, Valerie
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

CHESHIRE

Chase, Cynthia Emerson, Susan Hunt, John
Mann, John McConnell, James Parkhurst, Henry
Sterling, Franklin Tatro, Bruce Weber, Lucy

COOS

Fothergill, John Moynihan, Wayne Rideout, Leon Theberge, Robert Tholl, John Thomas. Yvonne

GRAFTON

Almy, Susan Bailey, Brad Bennett, Travis Darrow, Stephen Hennessey, Erin Johnson, Eric Ford, Susan Gionet, Edmond Higgins, Patricia Hull, Robert Ingbretson, Paul Ladd, Rick Hennessey, Martha Nordgren, Sharon Piper, Wendy Sykes, George

HILLSBOROUGH

Adams, Christopher Griffin, Barbara Beaulieu, Jane Biggie, Barbara Bouldin, Amanda Burt, John Coffey, James Cohen, Alan Danielson, David DiSilvestro, Linda Estevez, Eric Ferreira, Elizabeth Smith, Gregory Gagne, Larry Golev, Jeffrey Gorman, Mary Haefner, Robert Hansberry, Daniel Hogan, Edith Infantine, William Rice, Kimberly Kurk, Neal Lachance, Joseph LeBrun, Donald Martel, Andre McClarren, Donald Murotake, David Murphy, Keith Long, Patrick McCarthy, Peggy Pierce, David Peterson, Ken Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Scontsas, Lisa Seidel, Carl Souza, Kathleen Straight, Phillip

Backus, Robert Boehm, Ralph Byron, Frank Cornell, Patricia Eastman, Eric Flanagan, Jack Gargasz, Carolyn Gould, Linda Hansen, Peter Jack, Martin Christiansen, Lars Manley, Jonathan McLean, Mark Notter, Jeanine Palmer, Barry Porter, Marjorie Walsh, Robert Sanborn, Laurie Simmons, Tammy Takesian, Charlene Sullivan, Victoria Zaricki, Nick

Balcom, John Booras, Efstathia Christensen, Chris Sullivan, Daniel Edelblut, Frank Fromuth, Bart Gidge, Kenneth Goulette, William Hinch, Richard Jeudy, Jean Ober, Lynne Marston, Dick Moore, Josh Ohm. Bill Pellegrino, Anthony Proulx, Mark Rosenwald, Cindy Schleien, Eric Snow, Kendall Smith, Timothy O'Brien, William

Roberts, Kris

Sad. Tara

MERRIMACK

Turcotte, Alan French, Barbara McGuire, Dan Doherty, David Henle, Paul French, Harold Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill Martin, John Moffett, Howard Patten, Dick Ratzki, Mario Shurtleff, Stephen Walsh, Thomas

Brewster, Michael Ebel, Karen Hess, David Kenison, Linda MacKay, James Myler, Mel Saunderson, George

Wheeler, Deborah

Gile, Mary Hill, Gregory Kidder, David Marple, Richard Parent, Jason Schuett. Dianne

Carson, Clyde

ROCKINGHAM

Christie, Andrew Azarian, Gary Berrien, Skip Cardon, G. Thomas DeSimone, Debra Elliott, Robert Fesh, Robert

Twombly, Timothy

Wolf, Terry

Abrami, Patrick Baldasaro, Alfred Borden, David Cook, Allen Devine, James Emerick, J. Tracy Francese, Paula

Ulery, Jordan

Woodbury, David

Abramson, Max Barnes, Arthur Bush, Carol Thomas, Douglas Doucette, Fred Rice, Frederick Gannon, William Allen, Mary Bates, David Cahill, Michael Dean-Bailey, Yvonne Duarte, Joe Ferrante, Beverly Green, Dennis

Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Heffron, Frank
Hodadon, Bruce	Hoelzel, Kathleen	Introne, Robert	Ward, Joanne
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	McMahon, Charles	Nigrello, Robert	Osborne, Jason
Packard, Sherman	Pantelakos, Laura	Peckham, Michele	Potucek, John
Gordon, Richard	Tilton, Rio	Simpson, Alexis	Sytek, John
True, Chris	Tucker, Pamela	Vose, Michael	Welch, David
Weyler, Kenneth	Woitkun, Steven		

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DeLemus, Susan	Gardner, Janice
Graham, Robert	Gray, James	Groen, Warren	Hannon, Joseph
Kaczynski, Thomas	Kaen, Naida	Turcotte, Leonard	Leeman, Don
Mullen, John	Schmidt, Peter	Pitre, Joseph	Rollo, Deanna
Southworth, Thomas	Treleaven, Susan	Wall, Janet	Wuelper, Kurt

SULLIVAN

Schmidt, Andrew	Cloutier, John	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Rollins, Skip
Smith, Steven			

and floor amendment (1240h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Victoria Sullivan spoke in favor and yielded to questions. Majority committee report adopted and ordered to third reading.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes the Board of Medical Imaging and Radiation Therapy for the licensure and regulation of magnetic resonance technologists, nuclear medicine technologists, radiation therapists, radiographers, radiologist assistants, and sonographers. The committee heard testimony about the potential dangers and risks to patient health that could result from the practice of inadequately trained operators. This, coupled with a likely increase in the number of independent radiology clinics, led members to support this bill in order to ensure that appropriate training and continuing education are completed and that disciplinary action can be taken for unprofessional or unethical conduct. Vote 16-2.

Rep. Hannon spoke against.

Dumnia Duscell

Rep. Sherman spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

Tilton Eronklin

YEAS 213 NAYS 113

YEAS - 213 BELKNAP

Fields Donnie

Flanders Donald

Dumais, Russell	riilori, Frankiiri	rielus, Delitiis	Flatidets, Dollaid
		CARROLL	
Buco, Thomas McConkey, Mark Ticehurst, Susan	Butler, Edward Nelson, Bill Umberger, Karen	Chandler, Gene Parker, Harold	Crawford, Karel Schmidt, Stephen
		CHESHIRE	
Abbett Michael	Amos Dishard	Porch Paul	Bordenet John

Ames, Richard	Berch, Paul	Bordenet, John
Emerson, Susan	Ley, Douglas	Mann, John
Pearson, William	Robertson, Timothy	Sad, Tara
Sterling, Franklin	Tatro, Bruce	Weber, Lucy
	Emerson, Susan Pearson, William	Emerson, Susan Ley, Douglas Pearson, William Robertson, Timothy

COOS

Fothergill, John Theberge, Robert

Froburg, Alethea Tholl, John

Movnihan, Wavne Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel. Richard Ford, Susan Maes, Kevin Townsend, Charles Almy, Susan Higgins, Patricia Nordgren, Sharon White, Andrew

Bennett, Travis Ladd, Rick Piper, Wendy

Cooney, Mary Hennessey, Martha Sykes, George

HILLSBOROUGH

Griffin, Barbara Booras, Efstathia Cohen, Alan Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Hinch, Richard Christiansen, Lars Mangipudi, Latha Long, Patrick Pierce, David Rosenwald, Cindy Snow, Kendall Vann, Ivy

Backus, Robert Byron, Frank Cornell, Patricia Freitas, Mary Gidge, Kenneth Haefner, Robert Infantine, William LeBrun, Donald Manley, Jonathan McCarthy, Peggy Porter, Marjorie Rouillard, Claire Straight, Phillip Williams, Kermit

Balcom, John Christensen, Chris Sullivan, Daniel Smith, Gregory Goley, Jeffrey Hansberry, Daniel Jack, Martin Leishman, Peter McNamara, Richard Pellegrino, Anthony Proulx, Mark Rowe, Robert Takesian, Charlene Wolf, Terry

Beaulieu, Jane Roberts, Carol DiSilvestro, Linda Gagne, Larry Gorman, Mary Herbert, Christopher Jeudy, Jean O'Brien, Michael Brown, Pamela Peterson, Ken Walsh, Robert Shattuck, Gilman Smith, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Martin, John Ratzki, Mario Shurtleff, Stephen

Alicea, Caroletta Carson, Clyde Gile, Mary Frazer, June Kotowski, Frank Moffett, Howard Rogers, Katherine Walsh, Thomas

French, Barbara Deloge, Helen Henle, Paul Karrick, David Luneau, David Myler, Mel

Saunderson, George

Wallner, Mary Jane

Bartlett, Christy Doherty, David Hess. David Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Berrien, Skip Cardon, G. Thomas Doucette, Fred Fesh, Robert Harris, Jeffrey Ward, Joanne Manning, John McMahon, Charles Pantelakos, Laura Sherman, Thomas

Abrami, Patrick Borden, David Cushing, Robert Edgar, Michael Francese, Paula Heffron, Frank Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Peckham, Michele Simpson, Alexis

Azarian, Garv Cahill, Michael Thomas, Douglas Elliott, Robert Guthrie, Joseph Hoelzel, Kathleen Griffin, Mary McBeath, Rebecca Gordon, Pamela Prudhomme-O'Brien, Katherine Sytek, John

Barnes, Arthur Cali-Pitts, Jacqueline Devine, James Ferrante, Beverly Hagan, Joseph Introne, Robert Major, Norman McKinney, Betsy Packard, Sherman Tilton, Rio Woitkun, Steven

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Kaen, Naida Spang, Judith

Berube, Roger Cheney, Catherine Gray, James Schmidt, Peter Stevens, Audrey

Bickford, David Cilley, Jacalyn Horrigan, Timothy Rollo, Deanna Treleaven, Susan

Bixby, Peter DiSesa, Len Ward, Kenneth Southworth, Thomas Wall, Janet

SULLIVAN

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Schmidt, Andrew Gottling, Suzanne Rollins, Skip	Cloutier, John Grenier, James Smith, Steven	Converse, Larry Irwin, Virginia	Gagnon, Raymond Oxenham, Lee		
	NA	AYS - 113			
	Bl	ELKNAP			
Aldrich, Glen Hurt, George Vadney, Herbert	Fisher, Robert Spanos, Peter Varney, Peter	Gallagher, Brian Sylvia, Michael	Howard, Raymond Fraser, Valerie		
•	C	ARROLL			
Avellani, Lino Wright, Ted	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank		
	CI	HESHIRE			
Tilton, Benjamin	Hunt, John	Roberts, Kris	McConnell, James		
		coos			
Didecut Leon		COOS			
Rideout, Leon	G	RAFTON			
Bailey, Brad Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ingbretson, Paul	Johnson, Eric		
	HILL	SBOROUGH			
Adams, Christopher	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda		
Burt, John	Coffey, James	Danielson, David	Eastman, Eric		
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth		
Fromuth, Bart	Gould, Linda	Goulette, William	Hansen, Peter		
Hogan, Edith	Rice, Kimberly	Lachance, Joseph	Marston, Dick		
Martel, Andre	McClarren, Donald	Moore, Josh	Murotake, David		
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Palmer, Barry		
Christie, Rick	Ober, Russell	Sanborn, Laurie	Schleien, Eric Souza, Kathleen		
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy Sullivan, Victoria	O'Brien, William		
Twombly, Timothy	Ulery, Jordan	Sullivari, Victoria	O Dileii, William		
Zaricki, Nick MERRIMACK					
Brewster, Michael	McGuire, Dan	French, Harold	Hill, Gregory		
Hoell, J.R.	Horn, Werner	Kuch, Bill	Marple, Richard		
Parent, Jason	. ,	,			
	ROC	CKINGHAM			
Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David		
Bush, Carol	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra		
Duarte, Joe	Emerick, J. Tracy	Rice, Frederick	Gannon, William		
Green, Dennis	Hodgdon, Bruce	Kappler, Lawrence	Katsakiores, Phyllis		
Kolodziej, Walter	Osborne, Jason	Potucek, John	Gordon, Richard		
True, Chris	Tucker, Pamela	Welch, David	Weyler, Kenneth		
	ST	RAFFORD			
DeLemus, Susan	Graham, Robert	Groen, Warren	Hannon, Joseph		
Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don	Mullen, John		
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt			

SULLIVAN

Laware, Thomas

and the committee report was adopted and ordered to third reading.

Reps. McLean and Vose declared conflicts of interest and did not participate.

SB 392, relative to the special training licenses issued by the board of podiatry. OUGHT TO PASS. Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Podiatry to issue special training licenses to persons enrolled in an accredited residency program in NH. The committee heard testimony that this bill is needed to address the growing shortage of podiatrists in NH. Our neighboring states currently offer residency for a podiatrist in training, giving them an edge in the recruitment of these medical professionals and greater certainty of these individuals remaining in state to practice following their residency. The license established by this bill provides NH with the same advantage. Vote 11-2.

Committee report adopted and ordered to third reading.

SB 446, relative to requirements of the state building code. OUGHT TO PASS.

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds a small provision to the statutes so that when the Building Code Review Board adopts new rules about the permit application process, the new rules are "reasonable." The committee heard testimony that some building inspectors have asked for extensive information during the application process and this slows down and or delays the issuance of permits. The only process in place to appeal is through the local zoning board and this could take a month or more creating real issues for getting a project started before a deadline. For example, if a permit is issued late enough in the fall to delay construction, it may not be possible to construct a foundation before the frost sets in. The balance of the process remains the same and the renovation or construction still needs to meet all necessary codes and still goes through the same inspection process, this bill just affects the ability to get the permit issued in a timely manner so construction can begin. Vote 9-6. Committee report adopted and ordered to third reading.

SB 545, proclaiming August as Cure all Cancer month. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Raymond Gagnon for the Majority of Executive Departments and Administration. The goal of this bill is to reinforce that an ounce of prevention is worth a pound of cure. The legislation serves as a tool in raising the public's attention in combating cancer. Testimony in support of this bill stressed how increasing the public's knowledge and awareness about cancer can have an effective impact and that statistics indicate enhanced education and awareness could reduce cancer by 50%. Proclaiming February as Cancer Prevention Month and February 4 as Cancer Prevention Day will complement federal cancer prevention efforts thus providing coordinated national, state and local efforts. Cancer prevention/education events provide added opportunities for anti-cancer groups to reach out to the general public. Lastly, this bill also recognizes August as Cure all Cancer Month in honor of the many people who have lost their lives to cancer or who are battling this dreaded disease. The rising incidence of cancer needs to be met with increased efforts both to implement prevention practices now and to find a cure as soon as possible. New Hampshire has demonstrated that it can be a leader in promoting cancer prevention and should do so with the passage of this legislation. Vote 9-8.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill as amended sets aside two different months and one particular day for cancer awareness. The minority applauds the purpose behind the bill and has no concerns regarding the desire to encourage people to live happier and healthier lives. The minority also has no concerns about promoting cancer awareness. However, we felt that this bill will not yield the intended results. The ED&A Committee sees a plethora of requests for special days and events and we felt that designating two months for this purpose would water down the message and in the end hurt the cause more than help it. The result of all of these requests is that every day will be a "special" day for some cause and then none of those days will be considered special as every day or month will be devoted to some cause and the importance of the individual issues will be lost in the noise.

Majority Amendment (1107h)

Amend the title of the bill by replacing it with the following:

AN ACT proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent. The general court recognizes that October is Breast Cancer awareness month which is laudable. The general court further recognizes that there should be a focus on cancer prevention and finding a cure for all cancers and that having only one month for a specific

cancer may detract from many other deadly cancers. Therefore, the general court hereby proclaims February as cancer prevention month, February 4th as cancer prevention day, and August as Cure all Cancer month in honor of the many people who have lost their lives to cancer or who are battling cancer. The general court specifically dedicates this act to Tierra Brewster VanCise who lost her battle with lung cancer in October of 2010.

2 New Section; Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. Amend RSA 4 by inserting after section 13-u the following new section:

4:13-v Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. The governor shall annually proclaim February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month and shall urge cities and towns throughout the state to observe these dates in an appropriate manner in recognition of the thousands of citizens of this state affected by all types of cancer and the need for public awareness, research, and support for victims and their families.

AMENDED ANALYSIS

This bill proclaims February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 174 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 498-FN, relative to penalties for possession of certain controlled drugs. OUGHT TO PASS. Rep. David Welch for Criminal Justice and Public Safety. This bill is a result of a study of stakeholders such as law enforcement, public defenders, the courts and substance abuse organizations. They determined that reducing the penalty for possession of small amounts of marijuana and hashish to an unclassified misdemeanor with a minimum fine of \$500 would enable the court to treat first time offenders as a violation, enable substance abuse counseling or establish a criminal record based on the individual's conduct or record. Vote 13-0.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. OUGHT TO PASS WITH AMENDMENT.

Rep. Ralph Boehm for Education. This bill authorizes the state board of education to adopt rules relating to preventing child sexual abuse and promoting healthy relationships. The amendment removes the terms child sexual abuse and healthy relationships and replaces it with the reference to existing law, RSA 169-C, which covers and defines sexual, psychological and physical child abuse. Vote 20-0.

Amendment (1196h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing the state board of education to adopt rules relative to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse under RSA 169-C, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

AMENDED ANALYSIS

This bill authorizes the state board of education to adopt rules relative to child abuse pursuant to the child protection act.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Ladd offered floor amendment (1241h).

Floor Amendment (1241h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse as established in the definition of "abused child" under RSA 169-C:3, II, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

AMENDED ANALYSIS

This bill requires a school board to ensure that health and physical education as it relates to abused children is taught in schools.

Rep. Ladd spoke in favor.

Floor amendment (1241h) adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1270h).

Floor Amendment (1270h)

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, [especially] including physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse under RSA 169-C, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

Rep. Hoell withdrew floor amendment (1270h).

Majority committee report adopted and ordered to third reading.

SB 441-FN, relative to discounts and admission without charge at state parks. OUGHT TO PASS. Rep. John Mullen for Resources, Recreation and Development. The bill was brought forth to modify the Division of Parks and Recreation's ability to offer admission without charge to persons 65 years of age and older to state parks and other areas, and repeals a requirement for the division to issue discount coupon books for state parks in the summer months. The premise behind this bill is to resolve a conflict between two statutes. RSA 218:5-c describes who and what park activities shall provide those 65 years and older free admission to state parks, historical sites, beaches and state operated ski areas. RSA 216-A:3-g instructs the division to charge fees that are comparable with fees for use of similar privately owned ski and campground facilities and should be according to market conditions. In addition, the fees are to be used to offset expenses to maintain these state facilities and be able to adjust to market conditions. This bill gives the division the ability to set limited fees for those over 65 subject to approval of the Fiscal Committee. These fees would allow the division to ensure the continued operation and improvement of state parks, historical sites, beach and ski areas while not violating the intent of current legislation to not unfairly compete with private facilities. Vote 17-0.

Rep. Bailey spoke against.

Rep. Mullen spoke in favor and yielded to questions.

Rep. Horrigan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 171 NAYS 158

YEAS - 171 BELKNAP

Dumais, Russell Hurt, George Tilton, Franklin Sylvia, Michael

Fields, Dennis Vadney, Herbert Flanders, Donald

CARROLL

Chandler, Gene Comeau, Ed Crawford, Karel McConkey, Mark Schmidt, Stephen Umberger, Karen

CHESHIRE

Bordenet, John Emerson, Susan Hunt, John Ley, Douglas
Mann, John McConnell, James Pearson, William Shepardson, Marjorie
Sterling, Franklin Tatro, Bruce

COOS

Fothergill, John Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Darrow, Stephen Johnson, Eric Higgins, Patricia
Hull, Robert Ladd, Rick Hennessey, Martha Maes, Kevin
Piper, Wendy White, Andrew

HILLSBOROUGH

Adams, Christopher Griffin, Barbara Balcom, John Beaulieu, Jane Byron, Frank Christensen, Chris Boehm, Raiph Biggie, Barbara Edwards, Elizabeth DiSilvestro, Linda Coffey, James Danielson, David Ferreira, Elizabeth Flanagan, Jack Freitas, Mary Smith, Gregory Gidge, Kenneth Gould, Linda Gagne, Larry Gargasz, Carolyn Hansen, Peter Herbert, Christopher Hinch, Richard Haefner, Robert Christiansen, Lars Ober, Lynne Rice, Kimberly Kurk, Neal McLean, Mark McNamara, Richard LeBrun, Donald Marston, Dick Notter, Jeanine Ohm. Bill Murotake, David Murphy, Keith Pellegrino, Anthony Brown, Pamela McCarthy, Peggy Palmer, Barry Pierce, David Ober, Russell Rosenwald, Cindy Rouillard, Claire Seidel, Carl Simmons, Tammy Rowe, Robert Scontsas, Lisa Takesian, Charlene Ulery, Jordan Williams, Kermit Straight, Phillip Wolf, Terry

MERRIMACK

Bradley, Paula Brewster, Michael McGuire, Dan Deloge, Helen Gile, Mary French, Harold Henle, Paul Ebel, Karen Hoell, J.R. Horn, Werner Hill, Gregory Hess. David Kenison, Linda Kidder, David Kotowski, Frank Luneau, David Moffett, Howard MacKay, James Marple, Richard Martin, John Shurtleff, Stephen Walsh, Thomas

ROCKINGHAM

Christie, Andrew Abrami, Patrick Allen, Mary Azarian, Gary Berrien, Skip Cook, Allen Barnes, Arthur Bates, David Elliott, Robert DeSimone, Debra Devine, James Thomas, Douglas Francese, Paula Rice. Frederick Ferrante, Beverly Fesh. Robert Heffron, Frank Gannon, William Green, Dennis Hagan, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman Ward, Joanne Matthews, Carolyn McKinney, Betsy Osborne, Jason Manning, John Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Schroadter, Adam Sherman, Thomas Sytek, John Vose, Michael

Woitkun, Steven

STRAFFORD

Baber, William Bickford, David Bixby, Peter Cheney, Catherine Graham, Robert Grav. James Groen, Warren Kaczynski, Thomas Leeman, Don Mullen, John Kaen, Naida Turcotte, Leonard Whitehouse, Joshua Schmidt, Peter Southworth, Thomas Spang, Judith Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Rollins, Skip	Gottling, Suzanne Smith, Steven	Grenier, James	Irwin, Virginia
	N	AYS - 158	
		ELKNAP	
Aldrich, Glen	Fisher, Robert	Gallagher, Brian	Howard, Raymond
Spanos, Peter	Fraser, Valerie	Varney, Peter	noward, naymond
		**	
	_	ARROLL	
Avellani, Lino	Buco, Thomas	Butler, Edward	Cordelli, Glenn
McCarthy, Frank	Nelson, Bill	Parker, Harold	Ticehurst, Susan
Wright, Ted	C	HESHIRE	
Abbett Michael			Development
Abbott, Michael Chase, Cynthia	Ames, Richard Eaton, Daniel	Tilton, Benjamin	Berch, Paul
Robertson, Timothy	Sad, Tara	Roberts, Kris	Parkhurst, Henry
Hobertson, Timothy	Sau, Tara	Weber, Lucy	
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert		
	G	RAFTON	
Abel, Richard	Bailey, Brad	Bennett, Travis	Cooney, Mary
Hennessey, Erin	Ford, Susan	Gionet, Edmond	Nordgren, Sharon
Sykes, George	Townsend, Charles		
	HILL	SBOROUGH	
Backus, Robert	Booras, Efstathia	Bouldin, Amanda	Burt, John
Roberts, Carol	Cohen, Alan	Cornell, Patricia	Sullivan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Fromuth, Bart
Goley, Jeffrey	Gorman, Mary	Goulette, William	Guerette, C. Lee
Hansberry, Daniel	Hogan, Edith	Hopper, Gary	Jack, Martin
Jeudy, Jean	Lachance, Joseph	Leishman, Peter	O'Brien, Michael
Mangipudi, Latha	Manley, Jonathan	Martel, Andre	McClarren, Donald
Moore, Josh	Long, Patrick	Peterson, Ken	Porter, Marjorie
Proulx, Mark	Christie, Rick	Walsh, Robert	Sanborn, Laurie
Schleien, Eric	Shattuck, Gilman	Snow, Kendall	Souza, Kathleen
Smith, Timothy	Twombly, Timothy	Sullivan, Victoria	Vann, Ivy
O'Brien, William	Woodbury, David	Zaricki, Nick	
	ME	RRIMACK	
Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Carson, Clyde	Doherty, David	Hirsch, Geoffrey	Frazer, June
Karrick, David	Kuch, Bill	Myler, Mel	Parent, Jason
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Wallner, Mary Jane	Wheeler, Deborah	
	ROC	CKINGHAM	
Abramson, Max	Baldasaro, Alfred	Borden, David	Bush, Carol
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert
Dean-Bailey, Yvonne	Doucette, Fred	Duarte, Joe	Edgar, Michael
Emerick, J. Tracy	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Kappler, Lawrence	Kolodziej, Walter	Lovejoy, Patricia
Griffin, Mary	McBeath, Rebecca	McMahon, Charles	Nigrello, Robert
GOMOOD PAMPIA	Pantelakos Laura	Gordon Richard	Tilton Rio

Pantelakos, Laura

True, Chris

Gordon, Richard

Tucker, Pamela

Tilton, Rio

Gordon, Pamela

Simpson, Alexis

STRAFFORD

Berube, Roger Burton, Wayne Cilley, Jacalyn DeLemus, Susan DiSesa, Len Gardner, Janice Hannon, Joseph Horrigan, Timothy Ward, Kenneth Pitre, Joseph Rollo, Deanna Treleaven, Susan

Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Laware, Thomas

Oxenham, Lee

and the committee report was adopted and referred to the Committee on Ways and Means.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 20, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

SB 25-FN, relative to the administration of epinephrine.

SB 312, relative to epinephrine administration in independent schools.

SB 314, relative to the membership of the higher education commission.

SB 316, relative to placement decisions by a child's individualized education program team.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

SB 371, relative to school lunch meal payment policies.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions.

SB 313, relative to requirements for licensed estheticians.

SB 332, relative to state procurement of goods and services.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers.

SB 400, relative to executive branch ethics.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.

SB 378, relative to the availability of net metering tariffs.

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists.

SB 392, relative to the special training licenses issued by the board of podiatry.

SB 446, relative to requirements of the state building code.

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding memorial remarks for the former member from Amherst, the Honorable Carol Holden.

Rep. Notter addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Amherst, the Honorable Carol Holden.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Motion adopted unanimously.

REMARKS

Rep. Notter: Thank you, Mr. Speaker. I would like to invite the Representatives who were involved with the Vesta Roy Series, or the Federation of Republican Women, to stand with me at the podium to remember and honor our friend, Commissioner Carol Holden. Mr. Speaker, when I first got involved with New Hampshire politics I felt a bit "star struck," I guess is the term, when I met elected officials. I was nervous the first time I met with Commissioner Holden. A television show called, "The Commish," came to mind while I was having coffee at a Dunkin Donuts, in Merrimack, with an actual commissioner. Somehow our conversation led to a discussion of passing the time while waiting in line at the grocery store. When Commissioner Holden told me that she also enjoys reading the tabloid headlines, I felt more at ease and began to realize that perhaps, just maybe, elected officials are also just regular people. This past Friday, April 1, 2016, Commissioner Carol Holden died peacefully at her home after a brief illness. The news left many of us shocked and saddened, especially for her husband, Don. I just saw Carol, what seems like, days ago. She was wearing one of her signature hats and looked just fine. Yesterday, at the viewing, I saw the hat before I noticed her family in the receiving line. I'm happy to report that Carol Holden went to her eternal rest sporting a pink straw hat with a good Republican elephant pin at the top. She looked like she was sleeping. Several of us knew Carol through Vesta Roy. Vesta Roy was the NH State Senate President when Governor Hugh Gallen died in office in 1982. Vesta succeeded him, making her the first female governor of NH. Her portrait is at the base of the stairs that leads to the Senate Gallery. The first female Speaker of the NH House of Representatives was Donna Sytek. Speaker Sytek was one of the founders of a political educational program called, "Vesta Roy Excellence in Public Service." Carol Holden was on the Vesta Roy Board of Directors and a mentor to several of us serving in the House today. We call ourselves, "Vesties." Sometimes we wear a specific gold star to identify ourselves. It was Carol who taught me to how to politic a room. She taught me the proper wording when asking for an endorsement. She stressed what is essential when running for office. And when things were not to her liking, she let me know. In addition to the Vesta Roy Series, Carol had a long history with the Federation of Republican Women. The National Federation is based in Washington, D.C. Each state has its own chapter. Carol is a past President. We have five federated groups in our state. I think she supported them all. When I was a club president, Carol was my parliamentarian. It was her job to make sure that I ran the meetings the way that Donna Sytek taught me to in Vesta Roy. Carol gave me booklet of notes on Robert's Rules for Parliamentary Procedure, to refer to as needed. Honestly though, if Carol was at one of our meetings, it was a lot easier to just look her way for a nod of approval than it was to look at my notes. A few weeks ago I was informed that as the current state president of the NH Federation of Republican Women, I had to fill the positions required by Nationals. Wasn't it just days ago that I received an email from Carol accepting the position of, you guessed it, Parliamentarian? Carol's obituary had a long list of Republican boards and activities that she ran or served. She was one of three commissioners for Hillsborough County. Merrimack was one of the towns in her district. She always marched in our 4th of July parade. She worked the Republican booth at county fairs and was always seen at various Republican events, the like the Federation's annual Lilac Luncheon. Did you know that she was related to President George

Bush? Yeah, both of them, #41 and #43. Carol is from the Walker branch of the family. We had coffee with Doro Bush this past December. For those who don't know, Jeb is not George W's only sibling. There is also Neil, Marvin, and Doro. When I introduced Carol to Doro, Doro called her "Cousin" for the rest of the visit. Carol held many offices. She was a NH State Rep from 1984-1997. She chaired and co-chaired committees and served as Assistant Majority Leader in her last two years, Female legislators are automatically members of the Order of the Women Legislators. I believe you know them by the term, "The OWLS." Sometime last fall I was browsing in the Capitol Visitor's Center. Debbie Rivers pointed to a stack of books on the floor, in the corner, that were being given away. She handed me one. I took it home and added it to a stack of books sitting on the floor, in the corner, of my room. It was a book about the OWLS. I didn't know what to do with it. At Christmas time, the Merrimack Town Republican committee had a fundraiser. Carol was there, because Carol went to most Republican meetings. When she saw the book on the table with giveaways and political literature, she asked me about it. When I told her that she could have it, I saw her face light up like I've never seen before. The book covered the years that she served in this House, and her name was in it. I will always remember how happy and pleased she looked that evening. I can't believe she is gone. Her friend, local photographer Glynis Citarelli, posted the following on Facebook: "Madam Commissioner, you truly wore many hats. A tireless public servant. Godspeed my dear friend." To that I'd like to add, "May her memory be eternal." Thank you, Mr. Speaker.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 12:20 p.m.

RECESS

(Rep. Barbara French in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 527, 1145, 1438 and Senate Bills numbered 110 and 238.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGES CONCURRENCE

HB 1116, relative to net metering.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

HB 1197. relative to conservation number plate funds.

HB 1208-FN, relative to administration of the tobacco tax.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1283, relative to school notification of a change in placement.

HB 1285, relative to the donation of food that has passed its expiration date.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

HB 1665-FN, adopting the interstate medical licensure compact.

REFERRED FOR INTERIM STUDY

HB 1689, relative to operator requirements under the meals and rooms tax.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 295, 536, 1171, 1199, 1315, 1355 and 1418.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 242, relative to the statewide improvement and assessment program.

Amendment (1291-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to Motion adopted.

HB 1388-FN, expanding crossbow use into muzzeloader season.

Amendment (1316-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT expanding crossbow use into muzzleloader season.

Motion adopted.

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies

RECESS

(Rep. Ladd in the Chair) ENROLLED BILL AMENDMENTS

SB 25-FN, relative to the administration of epinephrine. (Amendment printed SJ 4/21/16) Motion adopted.

SB 312, relative to epinephrine administration in independent schools. (Amendment printed SJ 4/21/16)

Motion adopted.

SB 332, relative to state procurement of goods and services. (Amendment printed SJ 4/14/16) Motion adopted.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Amendment printed SJ 4/21/16) Motion adopted.

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

The President appointed Sens. Carson, Reagan and Soucy.

HB 628-FN, relative to indemnification of health care provider facilities under certain circumstances. The President appointed Sens. Sanborn, Carson and Kelly.

CONCURRENCE

HB 535-FN, relative to signs advising motorists approaching highway emergencies.

HB 1181, relative to designating an alternate cemetery trustee.

HB 1220, relative to disqualification of election officers.

HB 1239, relative to certain terminology in the education statutes.

- HB 1244-L, relative to municipal cemeteries.
- HB 1289, making technical corrections to certain tax laws.
- HB 1290, relative to filing dates for business taxes.
- HB 1300, relative to the content of patriotic exercises in public schools.
- HB 1497, relative to the limits on disclosure of information used on college entrance exams.
- HB 1553-FN, transferring the administration of the telecommunications accounting unit.

NONCONCURRENCE

- HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.
- HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.

LAID ON THE TABLE

- HB 1156, relative to interference with traffic devices.
- **HB 1247**, relative to poker in private residences.

CONCURRENCE WITH AMENDMENTS

- SB 313, relative to requirements for licensed estheticians.
- SB 400, relative to executive branch ethics.
- SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

RECESS

(Rep. Mangipudi in the Chair) ENROLLED BILL AMENDMENTS

HB 1116-FN, relative to net metering.

Amendment (1443-EBA)

Amend section 2 of the bill by replacing line 1 with the following:

2 Public Utility. Amend RSA 362:2, II to read as Motion adopted.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

Amendment (1441-EBA)

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III. Motion adopted.

HB 1197, relative to conservation number plate funds.

Amendment (1408-EBA)

Amend section 4 of the bill by replacing line 2 with the following: 261:97-b Conservation Number Plate [Trust] Fund.

Motion adopted.

HB 1208-FN, relative to administration of the tobacco tax.

Amendment (1440-EBA)

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following: evidence tax paid under this chapter in this state to licensed wholesalers.

Motion adopted.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

Amendment (1433-EBA)

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following: the state highway aid program, adopted under rulemaking authority of the commissioner of the Motion adopted.

HB 1283, relative to school notification of a change in placement.

Amendment (1389-EBA)

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following: II. The department and school district shall develop a transition plan for the child. The Motion adopted.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

Amendment (1427-EBA)

Amend section 1 of the bill by replacing line 2 with the following: A:32, II(e) to read as follows:

Motion adopted.

HB 1665-FN, adopting the interstate medical licensure compact.

Amendment (1407-EBA)

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following: XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as Motion adopted.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. (Amendment printed SJ 4/14/16)
Motion adopted.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 12

Wednesday, April 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Thom Duston, Pastor of St. Theresa's Parish in Henniker and Wing Chaplain of Pease Air National Guard Base.

Would you pray with me? Good and gracious God, You are the source of all life, and of our natural rights. Our ancestors recognized this in our state's constitution. They also acknowledged that when we come together in society, we must be willing to surrender up our rights to it for the protection of others. Lord God help us. Help us to appreciate the lives You have given us. Help us to acknowledge our natural rights and protect them for all. Help us to willingly sacrifice of ourselves for the good of others and of all. Lord bless each of us with the wisdom and courage we need to sacrifice for and serve well all citizens of our beloved state. Amen

Representative Sad, member from Walpole and Representative Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by the member from Manchester, Representative Larry Gagne.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Pamela Brown, Bush, Comtois, Kellogg, Moody, Pantelakos, Parison, Phillips, Priestley, Rappaport, Ratzki, Russell, Sanders, Stevens, Tatro, Verschueren and Wright, the day, illness.

Reps. Andrew Christie, Cook, Deloge, DiSesa, Edwards, Fisher, Pamela Gordon, Ingbretson, Introne, Ley, McNamara, O'Neil, Oligny, Carol Roberts, Schleien, Timothy Smith, Tamburello, Varney and Thomas Walsh, the day, important business.

Rep. DeSimone, the day, illness in the family.

INTRODUCTION OF GUESTS

Brendan Sica, student at Bishop Brady High School, Page for the day.

Allison O'Neil and students, guests of Representative Cordelli. The Honorable Sylvia Gale, former member from Nashua, and Catherine Sofikitis, guests of Representative Rosenwald. George and Phyllis Weimann, Uncle and Aunt of Representative Ticehurst. David Woolpert, guest of Representatives Hirsch and Barbara French. Roger Dontonville, guest of Representative Piper. Susan McKevitt, guest of Representative Irwin. Chris Heath, Master of the state Grange, and members of the state Grange; Bob and Jane Trombi, Josie Best, Esther Herrick and Andrew Savage, guests of Representative Haefner. The Honorable Carolyn Brown, former member from Conway, Jim Umberger, husband of Representative Karen Umberger, and John Edgerton, guests of the Mount Washington Valley Representatives.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 231, relative to the criteria for evaluating school building aid applications. (Amendment printed SJ 3/31/16)

Reps. Ladd and Kurk moved that the House concur and spoke in favor.

Rep. Ladd spoke in favor.

Motion adopted.

HB 1121, relative to the academic areas that comprise the statewide assessment. (Amendment printed SJ 4/7/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 1164, relative to contributions by a city or town to the county or state. (Amendment printed SJ 4/14/16) Rep. James Belanger moved that the House concur and spoke in favor. Motion adopted.

HB 560-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. (Amendment printed SJ 1/14/16)

Rep. Tholl moved that the House nonconcur and spoke in favor. Motion adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 242, 1388, 1397 and 1419 and Senate Bill numbered 318.

Rep. Hinch, Sen. Prescott for the Committee

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case, removed by Rep. Lynne Ober.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images, removed by Rep. Lynne Ober.

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws, removed by Rep. Hoelzel.

SB 481-FN, relative to a special health care service license and establishing a fund, removed by Rep. Dan McGuire.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants, removed by Rep. Hinch.

SB 496-FN, relative to personal care attendant services, removed by Rep. Hinch.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education, removed by Rep. Duane Brown.

Consent Calendar adopted.

SB 543-FN, relative to private transferring of adopted children. OUGHT TO PASS.

Rep. Carolyn Gargasz for Children and Family Law. This bill prohibits unauthorized advertising for adoption purposes. This especially is of concern for ads through the Internet. It also prohibits transfer of a child through a power of attorney document without going through the state adoption process. Vote 13-0. Referred to the Committee on Judiciary.

SB 450, relative to investments by insurance companies. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill replaces some of the existing life insurance and property and casualty insurance investment statutes with the latest National Association of Insurance Commissioners' (NAIC) model language. It applies general principles and sets specific investment standards appropriate to those insurers. Investments made by insurers are critical to their solvency and are highly regulated. The New Hampshire Insurance Department is required to "require a diversified investment portfolio for all domestic insurers both as to type and issues and include a requirement for liquidity" as part of the NAIC's accreditation process. Vote 18-2.

SB 488-FN-L, relative to breastfeeding. OUGHT TO PASS WITH AMENDMENT.

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, this bill required employers to provide reasonable accommodations to women who are breastfeeding and included a provision exempting nursing mothers from jury duty. Prior to passage, the Senate amended this bill by adopting a House Commerce Committee amendment to a similar bill, that was retained in the committee last year. This similar bill, SB 219, was tabled in the House in January. After a long subcommittee work session, the House Commerce Committee, with a strong bipartisan majority (18-2), amended this bill to establish an Advisory Council on Lactation. The council's duties are to consider the goals of the Office of the Surgeon General and the US Breastfeeding Committee and to examine best practices in New Hampshire for, not only breastfeeding, but also expressing breast milk at work. The advisory council is required to file an interim report by November 1, 2016 and a final report by December 1, 2017. Vote 19-1.

Amendment (1372h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing an advisory council on lactation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Advisory Council on Lactation. Amend RSA 275 by inserting after section 75 the following new subdivision:

Advisory Council on Lactation

275:76 Advisory Council on Lactation.

- I. There is hereby established an advisory council on lactation. The advisory council shall consider the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:
- (a) One member of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the senate president.
 - (c) The commissioner of the department of labor, or designee.
- (d) A representative from the women, infants, and children program (WIC), appointed by the commissioner of the department of health and human services.
 - (e) A certified midwife, appointed by the midwifery council established in RSA 326-D:3.
- (f) A member of the New Hampshire Business and Industry Association, appointed by the association.
 - (g) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.
 - (h) The chairperson of the New Hampshire Breastfeeding Task Force, or designee.
 - (i) A hospital administrator from a certified baby-friendly hospital, appointed by the governor.
 - (j) A transportation representative, appointed by the governor.
 - (k) A currently breastfeeding mother, appointed by the governor.
- (1) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.
- II. The advisory council may examine best practices in New Hampshire, including but not limited to the Baby Friendly Hospital Initiative, Family and Sick Leave, Childcare Trainings on Breastfeeding, Milk Banks, Lactation Spaces in Public Accommodations, and the World Health Organization's International Code of Marketing of Breastmilk Substitutes.
- III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the commission.
- IV. The advisory council may meet as often as necessary to effectuate its goals and meetings may be held by conference call. A minimum of 3 meetings per year shall be open to the public.
- V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.
 - 2 Repeal. RSA 275:76, relative to an advisory council on lactation, is repealed.
 - 3 Effective Date.
 - I. Section 2 of this act shall take effect December 1, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes an advisory council on lactation.

Referred to the Committee on Judiciary.

SB 468-FN, relative to changes to the sex offender registry. OUGHT TO PASS WITH AMENDMENT. Rep. Robert Cushing for Criminal Justice and Public Safety. In March of 2015 the New Hampshire Supreme Court ruled in the case of John Doe v. State of New Hampshire that a group of sex offenders convicted of crimes before the sex offender registry was created in 1992 and placed on the registry as a Tier III offender had been denied their right to due process to have their names removed from the registry. The court ruled that a group of convicted sex offenders who were not aware at the time of their conviction that they would be placed on the sex offender registry were entitled to petition to have their names removed from the registry altogether if they could prove that they were no longer a risk to the public. The court left it

to the legislature to determine how to assess the dangerousness of this group before allowing them to be removed from the registry. This bill establishes a procedure that will improve public safety for all New Hampshire residents by utilizing an effective risk assessment to ensure that the current danger of an offender is assessed. It also ensures that the victims of these serious offenders have notice that their victimizer is attempting to come off the sex offender registry and provides the opportunity for the victim to have input into this decision. This amended bill was supported by the Coalition Against Domestic and Sexual Violence, the New Hampshire Civil Liberties Union, and the Attorney General. Vote 19-0.

Amendment (1232h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III(a)(1) to read as follows:
- (1) Except as provided in paragraph V, all tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.
- 2 New Paragraph; Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 by inserting after paragraph IV the following new paragraph:
- V.(a) Any tier II of tier III offender who was convicted prior to the establishment of the sex offender registry may petition the court to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any period of supervised release. The petition shall also be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the petitioner is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent predicate conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. Such petition shall not be filed as or addressed as part of a criminal case.
- (b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney, the department of safety sex offender unit, and the department of corrections. The county attorney shall use reasonable efforts to notify the victim or victim's family. The court shall permit those parties to be heard on the petition. The victim may appear personally, or through a representative, or may provide a written statement expressing his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim when making a decision regarding the petition.
- (c) The court may grant the petition if the offender has not been convicted of any subsequent offense requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, and has demonstrated that he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.
 - 3 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:
- I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. [The offender] Either party shall have the right to appeal the commissioner's decision in superior court.
 - 4 Effective Date. This act shall take effect upon its passage.

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. OUGHT TO PASS.

Rep. John Martin for Criminal Justice and Public Safety. This bill would require all law enforcement agencies in the state to file reports in accordance with the FBI's Uniform Crime Reporting Program. Currently, there are 53 localities that do not report this information. Only nine of those localities do not have the records management system to comply with this requirement. The bill states that those agencies will have the means to report provided to them by the Department of Safety, eliminating any prohibitions under Part I, Article 28-a of the NH Constitution. Currently, the state is spending millions of dollars in the face of the opioid crisis and these 53 agencies are not reporting data which could be used in assessing the effectiveness of these new expenditures. This bill closes a hole in the reporting system and adds to the database reporting the effectiveness of state spending. Vote 16-3.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. OUGHT TO PASS.

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the amount credited to a fine when the defendant is incarcerated for non-payment of a fine. The amount of jail time is reduced and therefore the county and county taxpayers are well served. Currently the amount to be deducted is \$50 per day, and this bill increases the amount to \$150 per day. Vote 13-0.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Elliott for Education. This bill adds an employee to the Community College System of New Hampshire Board of Trustees. The bill further establishes a process by which 3 employees, other than personnel on the system leadership team (SLT), are elected to a slate of three potential candidates from which the Governor selects on for consent of the council. Community College leadership and employees support this bill as it strengthens system participation, communication and transparency. Lastly, the bill contains a "conflict of interest" clause. Vote 19-0.

Amendment (1353h)

Amend RSA 188-F:4, II(1) as inserted by section 1 of the bill by replacing it with the following:

(l)(1) One member shall be an employee of the community college system of New Hampshire. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an election at all-college/institutional forum, shall nominate a slate of 3 employees, that shall not include members of the community college system leadership team (SLT), whose names shall be forwarded to the governor who shall choose one for the nomination. The employee-trustee shall serve a 2-year term. In the event the employee-trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee-trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a slate of 3 employees, not to include a member of the SLT, whose names shall be forwarded to the governor for consideration.

(2) For purposes of this paragraph, "community college system leadership team (SLT)" means and is comprised of the chancellor, vice chancellor, president of each community college, and the chancellor's senior staff associated with statewide policy and operational coordination as identified in the handbook for administrative, managerial, professional and operating support staff exempt from the collective bargaining process, as approved by the community college system of New Hampshire board of trustees.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4: 3 New Paragraph; Conflict of Interest. Amend RSA 188-F:4 by inserting after paragraph VII the

following new paragraph:

VIII. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation because he or she has a pecuniary or personal interest or other conflict of interest.

AMENDED ANALYSIS

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

SB 353, relative to names on ballots. OUGHT TO PASS.

Rep. William Gannon for Election Law. This bill seeks to level the playing field so that all names on the ballot receive no undue preference due to one candidate using a change in font, capitalization, or other means to make his name stand out, making its' appearance inconsistent with that of the names around him. Vote 17-0.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. OUGHT TO PASS.

Rep. William Gannon for Election Law. This bill amends the process for reporting of receipt and expenditures by candidates and candidate committees by authorizing an electronic system for uploading reports to the Secretary of State's website. This will simplify and expedite this administrative process. Vote 17-0.

SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. INEXPEDIENT TO LEGISLATE.

Rep. Christy Bartlett for Environment and Agriculture. The committee heard compelling and extensive testimony on this bill. It appears to have been introduced to address a specific situation, but could have unintended consequences. This bill was written to address an individual's request who wanted to sell material from his land now in current use, but did not want to incur a land use change tax event. It was agreed by the committee that the current use law is quite specific and that the landowner gets a large tax credit in exchange for agreeing to the current use restrictions. Both the NH Municipal Association and the NH Farm Bureau are opposed to this bill. Vote 14-0.

SB 345, relative to the definition of agritourism. OUGHT TO PASS WITH AMENDMENT.

Rep. John O'Connor for Environment and Agriculture. This bill, as amended, corrects an ambiguity in the statutory definition of agriculture that currently does not include agritourism. The term "agritourism," to be defined by the bill within the definition of agriculture in RSA 21:34-a, II(b) (5), means to attract visitors to a farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, all of which are considered accessory uses to the primary farm operation. As the result of the recent Supreme Court ruling which pointed out the ambiguity within the law, a roundtable of stakeholders, including NH Municipal Association, legislators, the Department of Agriculture, Markets and Food, and the NH Farm Bureau, among others, spent months developing this legislation which is a reasonable balance between competing interests and will preserve local control. The bill will allow our farmers to contribute to both the economic viability and long-term sustainability of our New Hampshire farms. Vote 13-0.

Amendment (1286h)

Amend RSA 21:34-a, II(b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The marketing or selling at wholesale or retail, [on-site and off-site, where permitted by local regulations,] of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.

SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. INEXPEDIENT TO LEGISLATE. Rep. Peter Bixby for Environment and Agriculture. This bill would have added a requirement for hydration for domestic animals to statute, and would have created a committee to study harmful weather conditions for dogs. Current law requires that sustenance be provided, which includes hydration, making this change in law redundant. The Governor's Commission on the Humane Treatment of Animals has studied and continues to study all aspects of animal welfare and provides a manual of standards and training for local police. A study committee is unnecessary. We also heard testimony that the variability in dog breeds and acclimatization makes it impossible to develop a blanket statement concerning weather that is harmful to dogs. Vote 14-0.

SB 524, relative to state procurement card rebates. OUGHT TO PASS.

Rep. Jean Jeudy for Executive Departments and Administration. This bill removes a reference from RSA 9-D:2 that permitted a portion of state procurement card rebates be used to reduce the unfunded liability of the NH Retirement System. It also corrects a problem created by an amendment added to SB 191 last year that provided for the deposit of such rebates in the general fund. Vote 16-0.

SB 323, relative to the use of force by employees of hospitals or other health care facilities. OUGHT TO PASS.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill adds hospitals and health care facilities to an existing statute which authorizes the use of force by persons with special responsibilities. It allows an authorized hospital employee to use non-deadly force when it is reasonably believed to be necessary to maintain decorum or safety, and allows deadly force only when reasonably believed to be necessary to prevent death or serious bodily injury. The bill is critically necessary because of the number of violent situations which occur in health care settings. The committee heard testimony that hospital security personnel employees must undergo rigorous hospital specific training programs. Vote 16-0. Referred to the Committee on Criminal Justice and Public Safety.

SB 417, relative to employment contract restrictions upon physicians. OUGHT TO PASS.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill eliminates non-compete clauses in physician contracts to the hospital. Non-compete clauses limit competition and when a physician leaves a hospital, or practice they have to leave their patients without their doctors. With the MD shortage in the state, more physicians may be enticed to move to New Hampshire if they do not have to commit to a non-compete. Doctors can be an important person to their patients once relationships are formed and this can be devastating to a patient when the doctor is forced to move out of town. Vote 19-0. Referred to the Committee on Commerce and Consumer Affairs.

SB 420-FN, relative to aid to the permanently and totally disabled. OUGHT TO PASS.

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. This bill ensures that applicants who have been denied eligibility for cash assistance as part of aid to the permanently and totally disabled be treated in the same manner as persons who were terminated. The bill also authorizes the Department of Health and Human Services to adopt rules relative to the continuation of cash assistance pending appeal of a termination or denial decision. Vote 12-0.

Referred to the Committee on Finance.

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. **OUGHT TO PASS**.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. The committee heard considerable testimony regarding this matter and all agreed a study to determine best practice was warranted. Vote 15-0.

SB 193-FN-L, establishing a committee to study the duties of the attorney general and the county attorneys. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Heffron for Judiciary. The committee heard testimony that the office of the attorney general meets regularly with all county attorneys in a collegial manner to discuss their respective responsibilities in criminal cases. Accordingly, the committee concluded that it is not necessary to establish a study committee. Vote 17-0.

SB 341, establishing a committee to study guardianship in New Hampshire. OUGHT TO PASS WITH AMENDMENT.

Rep. Linda Kenison for Judiciary. Regulations differ for court appointed public versus private guardians, raising questions regarding caseloads, compensation, jurisdiction, and requirements for becoming a guardian. These and other related issues are in need of review and will be studied under this bill. Vote 16-1.

Amendment (1281h)

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Four members of the house of representatives, one of whom shall be a member of the children and family law committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing sections 3 and 4 with the following:

- 3 Duties. The committee shall study guardianship in New Hampshire to determine:
 - I. Whether guardians should be registered and licensed by the state.
 - II. Who should have jurisdiction over guardians.
- III. The number of guardians in New Hampshire and how the work of a private guardian differs from that of a public, court appointed guardian.
 - IV. The requirements, if any, for someone to become a guardian.
- V. Whether New Hampshire should adopt, or adopt with amendment, the National Guardianship Association Standards of Practice.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

SB 352, naming a cove in Lake Winnipesaukee as Ritson Cove. OUGHT TO PASS.

Rep. Ted Wright for Resources, Recreation and Development. Currently unnamed, this bill would name a cove at the south end of Governor's Island in Gilford after Ted Ritson who built a camp on the site in 1938. Over the last several decades, several generations of the Ritsons have been active in local conservation efforts and other community service. In particular, Ted Ritson, who died eight years ago, was very involved in water quality protection in the area. The committee feels this is a fitting tribute and, according to testimony, neighbors are in agreement. Vote 17-2.

SB 374, requiring the department of environmental services to update coastal flooding trends. OUGHT TO PASS.

Rep. Frederick Rice for Resources, Recreation and Development. The Coastal Risks and Hazards Commission recommended that their final report be updated every five years by collecting data on coastal flooding trends. Since the Department of Environmental Services was deeply involved in preparing the report and is familiar with the information involved, it is the most appropriate agency to perform this function and is therefore given this responsibility by the bill. Data will be used to update regional plans to protect the seacoast from damage due to storm surge, sea level rise, or flooding. Vote 19-0.

SB 375, establishing the coastal marine natural resources and environment commission. OUGHT TO PASS WITH AMENDMENT.

Rep. Frederick Rice for Resources, Recreation and Development. One of the requirements of the Coastal Risks and Hazards Commission, which expires at the end of this year, is to recommend rules and regulations that will protect New Hampshire's coastal resources. In order to do this, data must be collected on a periodic basis to determine what steps must be taken. This bill forms a commission that will review the data collected and make further recommendations to the legislature and Governor on an annual basis for actions to be taken. The amendment adds sedimentation as a concern to be monitored by the commission. Vote 17-0.

Amendment (1204h)

Amend RSA 485-F:3 as inserted by section 1 of the bill by replacing it with the following: 485-F:3 Duties. The commission shall:

- I. Investigate, monitor, and propose prevention and mitigation strategies for emerging environmental threats in coastal and Great Bay waters, including but not limited to warming of waters, ocean acidification, sedimentation, and nutrient loading, which impact fish, shellfish, and the food chain thereof.
- II. Identify gaps and recommend improvements in water quality monitoring, including monitoring pH and evaluating its impact on the impaired waters designation of water bodies.
 - III. Recommend strategies for enhancing capacities for improving water quality.
 - IV. Examine the Blue Carbon credit program for sea grass promotion and oyster bed restoration.
- V. Report annually on November 1 to the chairs of the house and senate committees with jurisdiction over issues affecting coastal marine resources and the environment, the senate president, the speaker of the house, and the governor.

SB 461-FN, relative to expenditures of the Winnipesaukee River Basin control program funds. OUGHT TO PASS.

Rep. James McConnell for Resources, Recreation and Development. This bill expands the purposes for which the Winnipesaukee River Basin Program funds collected from local member communities may be expended to include authority to fund studies to improve its operations. Vote 17-0.

SB 484, relative to the role of the Winnipesaukee River advisory board. OUGHT TO PASS. Rep. James McConnell for Resources, Recreation and Development. This bill requires the Winnipesaukee River Advisory Board, which is composed of appointees from the towns and cities whose

pesaukee River Advisory Board, which is composed of appointees from the towns and cities whose sewage is processed by the Winnipesaukee River Basin Program, to make a recommendation to the Governor and Council on each request for a contract to plan, design or construct capital improvements under RSA 485-A:49. Vote 17-0.

SB 309, relative to sulfur limits of certain liquid fuels. OUGHT TO PASS.

Rep. Glen Aldrich for Science, Technology and Energy. This bill will lower sulfur limits of certain fuels in New Hampshire to levels already adopted by all of the other New England states. Passing this bill not only helps the environment but our constituents as well. Oil burners that use low sulfur content fuel do not need to be cleaned as often. The Oil Heat Council of NH requested and supports this legislation. Vote 16-0.

SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. Only four towns in New Hampshire distribute their own electricity. This bill would require the Public Utilities Commission to make a one-time incentive payment to churches in those towns that install solar panels. Electricity users in those four towns do not contribute any funds to the Renewable Energy Fund, so the committee felt the churches should not be eligible to receive benefits from it. Vote 18-0.

SB 377, relative to emission levels of municipal waste combustion units. OUGHT TO PASS.

Rep. David Murotake for Science, Technology and Energy. This bill lowers the limits on certain emission levels of municipal waste combustion units. The bill amends RSA 125-C:10-a by placing new limits of emissions for municipal waste combustors of rated capacity between 35-250 tons of solid waste per day. Pollutants limited include particulate matter, cadmium, lead, mercury, sulfur dioxide, hydrogen chloride and dioxins. This change should improve the health of people and animals living near municipal waste combustors and reduce damage to the state's environment. Vote 17-0.

SB 357, relative to driver's license examinations. OUGHT TO PASS.

Rep. Steven Smith for Transportation. This bill adds specific items to be included in driver's license examinations covering changes to New Hampshire traffic law, driver road knowledge, and safety. These items are already in the examination and are being added to the statute. In addition to protecting drivers from tickets this will qualify NH for federal safety grants. Vote 13-2.

SB 359, relative to funding electric vehicle charging stations with municipal registration permits. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill simply adds electric vehicle charging stations to the list of allowed projects that can be funded using the municipal and transportation improvement fund. Electric vehicles will start becoming more popular. Vote 14-0.

SB 362, requiring notice to planning boards of placement of signs on scenic byways. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill simply requires the Department of Transportation to notify local planning boards of plans to add traffic signs in the state's historic and scenic areas. Testimony given mentioned new technology and requirements for road curve signs that spurred this change. Vote 15-2.

SB 519, relative to highway signs. OUGHT TO PASS.

Rep. Gladys Johnsen for Transportation. Essential motorist service signs regarding food, fuel, and attractions are permitted within limited distances on limited access highways. This bill extends the permissible zone from the Massachusetts border to Concord, and north of Concord on I-93 and I-89. Vote 17-0.

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax. OUGHT TO PASS WITH AMENDMENT.

Rep. Brian Gallagher for Ways and Means. This proposal establishes a commission to study apportionment of gross business profits under the Business Profits Tax (BPT). Testimony highlighted the need for examination of our BPT apportionment factors as other states shift to systems that negatively impact New Hampshire based businesses engaged in cross-border commerce. The amendment increases the number of House members on the committee from 2 to 3. Vote 20-0.

Amendment (1275h)

Amend RSA 77-A:22, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. OUGHT TO PASS.

Rep. Brian Gallagher for Ways and Means. This bill clarifies the application of business tax credits based on employment to client companies of employee leasing companies. This bill is a result of work done last year which allowed companies utilizing the employee leasing model to be able to use the Business Enterprise Tax (BET) credit allowed against the Business Profits Tax (BPT) liability. This proposal addresses a language issue identified by the Department of Employment Security for a credit for taxes to cover unemployment. This language also fixes an oversight relating to the application for credits in calendar or fiscal years. The Department of Revenue Administration worked with the Department of Employment Security to create a solution. All New Hampshire companies using leasing companies will be able to use the credit for BET they pay starting January 1, 2016. Vote 20-0.

SB 442-L, establishing a commission to study the taxability of lease interests in public property. OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for Ways and Means. This bill calls for a commission to study taxability of lease interests in public property. The committee agrees that this commission is required to develop suggested changes that would be uniform and fair and that could become the basis of future legislation. In section IV, the committee amended the bill to have the Senate member call the first meeting of the commission rather than the first named House member. Vote 18-2.

Amendment (1289h)

Amend RSA 72:79, II as inserted by section 1 of the bill by replacing it with the following:

- II. The members of the commission shall be as follows:
 - (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
 - (c) The commissioner of the department of revenue administration, or designee.
- (d) One representative of the New Hampshire Municipal Association, appointed by the association.
- (e) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

Amend RSA 72:79, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. REFER FOR INTERIM STUDY.

Rep. Robert Nigrello for Ways and Means. The committee has heard multiple bills this session dealing with the application of the United States Internal Revenue Code of 1986 applicable to the Business Profits Tax, subject to certain adjustments. NH business tax limits for 179(a) capital deductions (\$25,000) and the gap between the recently passed increase in the Federal Internal Revenue Code (\$500,000) 179(a) deductions are important to our business community. The unanimous vote of the Ways and Means Committee was to do additional work on SB 239, one of the similar bills already in committee, and place this

bill in interim study. Both SB 552 and SB 239 and the already passed HB 668 seek to increase the NH capital deduction for business and seek to have the Department of Revenue file a report informing the House and Senate of changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings which would impact New Hampshire. Vote 20-0.

REFERRAL DECLINED

Rep. Rowe, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 488-FN-L**, establishing an advisory council on lactation, and **SB 543-FN**, relative to private transferring of adopted children.

REGULAR CALENDAR - PART I

SB 515-FN, relative to child neglect and other changes to the child protection act. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: SEZYPEDIENT TO LEGISLATE. Rep. Frank Edelblut for the Majority of Children and Farmer Daw. Under current law, the definition of a neglected child is one who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental or emotional health, when it is established that health has suffered or is very likely to suffer serious impairment. This bill as amended creates, as a probable cause circumstance, to initiate an investigation of possible neglect because of an opioid abuse or dependence. This probable cause provides parental protections of a rebuttable presumption and participation in treatment for such dependence is a legitimate reason for rebuttal. There is no provision in this bill regarding prenatal care. Currently, this issue is being addressed by hospitals developing best practices procedures. This bill is specifically targeting the opioid crisis even though the committee recognizes there are other harmful drugs. The Division of Children, Youth and Families (DCYF) is flexible about treatment, especially where there is a scarcity of treatment; for example, there are Family Resource Centers and Licensed Alcohol and Drug Counselors in each county. There is a sunset provision in the bill of July 2020. Vote 11-3. Rep. Elizabeth Ferreira for the Minority of Children and Family Law. Although the minority recognizes the good intentions behind the bill, significant concerns were raised during the public hearing about unintended consequences if the bill were to become law. OB/GYN doctors and nurses, as well as educators and advocates working against addiction, testified that the bill would discourage pregnant women with substance use disorder from seeking prenatal treatment. For example, a pregnant woman in recovery who slipped back into drug use might not be forthcoming with her health care provider about the relapse, or might avoid prenatal checkups altogether, to avoid legal consequences. This would endanger her unborn child. Some experts questioned why the bill was limited to opioids, and why the use of other substances would not also be considered neglect. In their view, this would create an incentive to use other drugs instead. Another concern raised was that the bill would require a level of treatment not available in certain parts of our state, and that, even where treatment programs are available, some have long waiting lists, making compliance difficult. There were also concerns that this law would add a lot of cases to an already burdened division of DHHS. Moreover, it was unclear what, precisely, would define compliance with the law. Therefore, the minority believes that the proposed legislation would cause more harm than good.

Majority Amendment (1354h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the child protection act.

Amend the bill by replacing section 2 with the following:

- 2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:
- 169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence.

Amend the bill by replacing all after section 4 with the following:

- 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.
- 6 Effective Date.
 - I. Section 5 of this act shall take effect July 1, 2020.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Itse offered floor amendment (1481h).

Floor Amendment (1481h)

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, is evidence that a child's health has suffered or is very likely to suffer serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence such as the parent's participation in treatment for such use or dependence or another responsible adult in the home acting as a caretaker.

Amend the bill by replacing all after section 4 with the following:

- 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.
- 6 Effective Date.
 - I. Section 5 of this act shall take effect July 1, 2020.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the child protection act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests. Rep. Itse spoke in favor.

Rep. Berrien spoke against.

Floor amendment (1481h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Simmons requested a roll call; sufficiently seconded.

YEAS 203 NAYS 129

YEAS - 203 BELKNAP

Fields, Dennis	Flanders, Donald	Spanos, Peter	Fraser, Valerie
		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel Umberger, Karen	McConkey, Mark	Parker, Harold	Schmidt, Stephen
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy	•	
		COOS	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard Brown, Duane Higgins, Patricia Massimilla, Linda Smith, Suzanne

Almy, Susan Hennessey, Erin Ladd, Rick Nordgren, Sharon Sykes, George

Ford, Susan Hennessey, Martha Piper, Wendy Townsend, Charles

Bennett, Travis

Cooney, Mary Gionet, Edmond Maes, Kevin Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Cote, David
Edelblut, Frank
Gagne, Larry
Gorman, Mary
Harvey, Suzanne
Infantine, William
Kurk, Neal
Mangipudi, Latha
Palmer, Barry
Porter, Marjorie
Snow, Kendall
Williams, Kermit

Baroody, Benjamin Christensen, Chris Sullivan, Daniel Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Heath, Mary Belanger, James Ober, Lynne Manley, Jonathan Pellegrino, Anthony Walsh, Robert Soucy, Timothy Wolf, Terry Barry, Richard Cohen, Alan Danielson, David Forest, Armand Gidge, Kenneth Haefner, Robert Herbert, Christopher Jack, Martin Leishman, Peter Marston, Dick Peterson, Ken Rowe, Robert Vann, Ivy Woodbury, David

Biggie, Barbara Cornell, Patricia DiSilvestro, Linda Freitas, Mary Goley, Jeffrey Hansberry, Daniel Hinch, Richard Jeudy, Jean O'Brien, Michael Martel, Andre Pierce, David Shattuck, Gilman O'Brien, William

MERRIMACK

Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Moffett, Howard Saunderson, George Wheeler, Deborah French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Myler, Mel Schuett, Dianne Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Patten, Dick Shurtleff, Stephen

Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Martin, John Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cushing, Robert Elliott, Robert Francese, Paula Hoelzel, Kathleen Matthews, Carolyn Milz, David Sherman, Thomas Weyler, Kenneth Allen, Mary Borden, David Devine, James Rice, Frederick Ward, Gerald Sweeney, Joe McBeath, Rebecca Packard, Sherman Simpson, Alexis Woitkun, Steven Azarian, Gary Cahill, Michael DiFranco, Debbie Ferrante, Beverly Hagan, Joseph Lovejoy, Patricia McKinney, Betsy Belanger, Ronald Sytek, John

Barnes, Arthur Cali-Pitts, Jacqueline Edgar, Michael Fesh, Robert Heffron, Frank Major, Norman McMahon, Charles Tilton, Rio Welch, David

STRAFFORD

Baber, William Cilley, Jacalyn Smith, Marjorie Sprague, Dale Berube, Roger Gray, James Schmidt, Peter Treleaven, Susan Bixby, Peter Horrigan, Timothy Rollo, Deanna Wall, Janet Burton, Wayne Ward, Kenneth Southworth, Thomas

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Smith, Steven Converse, Larry Irwin, Virginia

Gagnon, Raymond O'Hearne, Andrew

NAYS - 129 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Howard, Raymond	Hurt, George	LeBreche, Shari	Sylvia, Michael
Vadney, Herbert			

CARROLL

Nelson, Bill McCarthy, Frank Comeau, Ed Avellani, Lino

Ticehurst, Susan

CHESHIRE Sterling, Franklin

COOS

Rideout, Leon Richardson, Herbert

McConnell, James

Seaworth, Brian

Vose, Michael

GRAFTON

Hull, Robert Darrow, Stephen Johnson, Eric Bailey, Brad

HILLSBOROUGH

Griffin, Barbara Balcom, John Ammon, Keith Adams, Christopher Coffey, James Burt, John Byron, Frank Boehm, Ralph Fromuth, Bart Ferreira, Elizabeth Eastman. Eric Estevez, Eric Hansen, Peter Halstead, Carolyn Gould, Linda Smith, Gregory Christiansen, Lars Rice, Kimberly Hopper, Gary Hogan, Edith McLean, Mark McClarren, Donald Lachance, Joseph LeBrun, Donald Notter, Jeanine Murphy, Keith Murotake, David Moore, Josh Proulx, Mark Christie. Rick Ohm, Bill McCarthy, Peggy Seidel, Carl Ober, Russell Rouillard, Claire Sanborn, Laurie Straight, Phillip Stepanek, Stephen Souza, Kathleen Simmons, Tammy Zaricki, Nick Sullivan, Victoria Ulery, Jordan Twombly, Timothy

MERRIMACK

Brewster, Michael McGuire, Carol Long, Douglas Turcotte, Alan Hoell, J.R. Hill, Gregory McGuire, Dan French, Harold Parent, Jason Marple, Richard Kuch, Bill Horn, Werner

ROCKINGHAM

Webb, James

Cardon, G. Thomas Bates, David Baldasaro, Alfred Abramson, Max Doucette, Fred Duarte, Joe Thomas, Douglas Chirichiello, Brian Guthrie, Joseph Green, Dennis Emerick, J. Tracy Gannon, William Ward, Joanne Hodgdon, Bruce Itse. Daniel Harris, Jeffrey Lundgren, David Kolodziej, Walter Katsakiores, Phyllis Kappler, Lawrence Nigrello, Robert Osborne, Jason Manning, John Griffin, Mary Gordon, Richard Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Tucker, Pamela Spillane, James True, Chris Schroadter, Adam

STRAFFORD

Groen, Warren DeLemus, Susan Bickford, David Beaudoin, Steven Knowles, Robert Kaczynski, Thomas Jones, Laura Hannon, Joseph Pitre, Joseph Mullen, John Leeman, Don Turcotte, Leonard Wuelper, Kurt Whitehouse, Joshua

SULLIVAN

Rollins, Skip Laware, Thomas and the majority committee report was adopted and referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of SB 323, relative to the use of force by employees of hospitals or other health care facilities.

REGULAR CALENDAR PART I CONT'D

SB 500-FN, relative to student health insurance plans. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue to operate student health insurance plans on a self-funded basis. Both institutions have been operating such plans for several years. There is a need to provide for oversight of the plans by the New Hampshire Insurance Department, since they are currently not regulated with respect to financial solvency or consumer protections by any other state or federal regulator. The bill is the result of a collaborative discussion with the affected entities as to the best way to proceed on this issue. The Insurance Department has made it clear that they would like to continue to collaborate as the bill moves forward in the legislature, to ensure that its objectives are clear and that the contemplated process works smoothly. Vote 16-4. Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 256 NAYS 84

YEAS - 256 BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Hurt, George	Fraser, Valerie	Vadney, Herbert	
	(CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
	C	CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	
		COOS	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne
	(GRAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			
	HIL	LSBOROUGH	

Baroody, Benjamin

Boehm, Ralph

Danielson, David

Forest, Armand

Gould, Linda

Gargasz, Carolyn

Cohen, Alan

Barry, Richard

Booras, Efstathia

Cornell, Patricia

Gidge, Kenneth

Guerette, C. Lee

Freitas, Mary

DiSilvestro, Linda

Balcom, John

Biggie, Barbara

Coffey, James

Sullivan, Daniel

Flanagan, Jack

Gagne, Larry

Gorman, Mary

Backus, Robert

Beaulieu, Jane Christensen, Chris

Edelblut, Frank

Smith, Gregory

Goley, Jeffrey

Cote, David

Haefner, Robert
Herbert, Christopher
Belanger, James
Kurk, Neal
Leishman, Peter
McClarren, Donald
Palmer, Barry
Proulx, Mark
Rowe, Robert
Shaw, Barbara
Straight, Phillip
Wolf, Terry

Hansberry, Daniel Hinch, Richard Jack, Martin Christiansen, Lars O'Brien, Michael Ohm, Bill Pellegrino, Anthony Walsh, Robert Sanborn, Laurie Snow, Kendall Ulery, Jordan

Harvey, Suzanne Hopper, Gary Jeudy, Jean Ober, Lynne Mangipudi, Latha Long, Patrick Pierce, David Rosenwald, Cindy Seidel, Carl Soucy, Timothy Vann, Ivy Heath, Mary Infantine, William Rice, Kimberly LeBrun, Donald Manley, Jonathan McCarthy, Peggy Porter, Marjorie Rouillard, Claire Shattuck, Gilman Souza, Kathleen Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hess, David Frazer, June Kotowski, Frank Moffett, Howard Saunderson, George Wheeler, Deborah

Alicea, Caroletta Rice, Chip Gile, Mary Hill, Gregory Karrick, David Luneau, David Myler, Mel Schuett, Dianne

Woodbury, David

French, Barbara Carson, Clyde French, Harold Hirsch, Geoffrey Kenison, Linda MacKay, James Patten, Dick Shurtleff, Stephen

Bartlett, Christy Doherty, David Henle, Paul Horn, Werner Kidder, David Martin, John Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Devine, James
Rice, Frederick
Friel, William
Heffron, Frank
Kolodziej, Walter
Manning, John
Milz, David
Peckham, Michele
Tilton, Rio
Sytek, John
Weyler, Kenneth

Allen, Mary Borden, David Cushing, Robert DiFranco, Debbie Ferrante, Beverly Ward, Gerald Hoelzel, Kathleen Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Potucek, John Schroadter, Adam Tucker, Pamela Woitkun, Steven Azarian, Gary
Cahill, Michael
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
Sweeney, Joe
Griffin, Mary
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien,
Sherman, Thomas

O'Connor, John Prudhomme-O'Brien, Katherine Sherman, Thomas Webb, James Barnes, Arthur
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Elliott, Robert
Francese, Paula
Hagan, Joseph
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Packard, Sherman
Belanger, Ronald
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William Burton, Wayne Gray, James Leeman, Don Rollo, Deanna Wall, Janet Berube, Roger Cheney, Catherine Horrigan, Timothy Smith, Marjorie Southworth, Thomas Bickford, David Cilley, Jacalyn Ward, Kenneth Mullen, John Sprague, Dale Bixby, Peter Gardner, Janice Knowles, Robert Schmidt, Peter Treleaven, Susan

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Smith, Steven Cloutier, John Grenier, James Converse, Larry Irwin, Virginia Gagnon, Raymond Oxenham, Lee

NAYS - 84 BELKNAP

Aldrich, Glen Spanos, Peter Gallagher, Brian Sylvia, Michael Howard, Raymond

LeBreche, Shari

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

McConnell, James

GRAFTON

Johnson, Eric Hull, Robert Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Burt, John
Byron, Frank	Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Lachance, Joseph	Marston, Dick	Martel, Andre	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Peterson, Ken	Christie, Rick	Ober, Russell	Simmons, Tammy
Twombly, Timothy	Sullivan, Victoria	O'Brien, William	Zaricki, Nick

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hoell, J.R.	Kuch, Bill	Marple, Richard	Parent, Jason
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Doucette, Fred	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Ward, Joanne
Kappler, Lawrence	Lundgren, David	McBeath, Rebecca	Osborne, Jason
Gordon, Richard	Spillane, James	True, Chris	Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Pitre, Joseph
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Laware, Thomas O'Hearne, Andrew Rollins, Skip and the committee report was adopted and referred to the Committee on Finance.

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Ralph Boehm for the Majority of Education. This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a "pay for success" partnership between providers of pre-kindergarten education services and investors. Although the bill indicates that program costs will be paid by private investment, at some point costs will ultimately be paid by the taxpayer. The question must be asked, "At what age will we allow the state to take over the job of parenting young children because the state knows best?" Studies from the National Institute of Child Health and Human Development show that children who spend time in non-maternal care before age 5 have more behavior problems later in life. The bill supposes that pre-kindergarten programming will result in less remedial or special education services in third grade, but these results may not be proven for at least four years from now. Further, with the way that success is measured or set up by the commission or third party evaluator, results data supporting an investment return to investors could be manipulated. Success of this program relies on private investments which could lead to lawsuits against the state should the investment return associated with the measures of student growth be questioned showing little or no student improvement. There are many variables in education associated with student growth. To say growth is a result of one variable such as pre-kindergarten programming would be difficult to prove. This bill has too many unanswered issues. Vote 16-4.

Rep. Mary Heath for the Minority of Education. The minority finds this bill establishes a commission to extend invitations to establish pilot pre-kindergarten education services in New Hampshire to improve educational outcomes for its youngest children utilizing a "pay for success" model to finance the pilot program. This tool allows for philanthropic funders and impact investors to provide the initial capital to implement the programs. This bill aims to improve third grade reading proficiency and to reduce the need for special education remediation. To accomplish these goals this bill provides for an impact study project to expand proven, quality pre-kindergarten services without risking local or state dollars to determine if the proposed program will result in the promised goal attainment. Through pay for success, the commission will establish contracts between: (1) One or more providers of pre-k services, who will provide pre-k services to expand cohorts of 4-year olds in NH; (2) Third party investors will provide the upfront capital to expand and deliver those services. These investors may include investors seeking a return of both principal and interest, philanthropic investors seeking only a full or partial return of the principal and/or grantors and federal agencies that do not seek a financial return; and (3) The state would agree to repay investors only if the evaluator determines the services did improve the third grade reading and special education outcomes. This bill will help providers to identify quality pre-k programs using rigorous longitudinal data regarding student outcomes so that proven quality practices can be shared and implemented in NH by those providers wishing to offer such programs. Majority committee report adopted.

SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill establishes a Board of Septic System Evaluators for the licensure and regulation of persons engaged in the practice of septic system evaluations. The bill is proposed as a consumer protection measure. The committee heard testimony that 50% of NH homes are on individual septic systems, the second highest in the country. Yet, there are currently no state standards or guidelines for those engaged in the practice of septic system evaluation. This shortcoming in the practice can potentially lead to a cost exceeding \$10,000 for the unnecessary replacement of a septic field. The licensure and regulation proposed by this bill will help to ensure a more uniform set of standards by which septic evaluators provide their service. The legislation itself was proposed by the septic system trades. The amendment to the bill made several technical corrections and revised penalties to be in line with other statutes on certain criminal practices. The amendment also ensured liberal, yet functional, grandfathering provisions for those currently providing septic evaluations. This will permit practicing and qualified practitioners to continue to do their work without undue hardship. Vote 13-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to create a new license for those that evaluate or inspect septic systems. These inspections are typically done when there are issues with the system or when there is a real estate transaction and the potential buyer wants to know if the septic system is in good working order. The draft of this bill was based on the home inspectors license and there were numerous issues found with that "boiler plate" language that was used as the basis for this potential law. After multiple subcommittee hearings and several executive sessions a significant rewrite of the bill took place. The issues with the proposed licensure system are as follows: current DES rules, Chapter Env-Wq 1000 Subdivision and Individual Sewerage Disposal System Design Rules, Env-Wq 1003.22, already require that an inspector get written confirmation from the town health inspector or building inspector when the inspector is stating the septic system is in "failure." With a state license the consumer may be lulled into a false sense of security. For example, it has been reported by government studies and as well the AMA that in one of the most regulated fields, that of medicine, that between 210,000 and 440,000 injuries including death occur in the US annually and this is a completely licensed set of professions. Furthermore, the training may indicate a level of classroom and field training, but with this license, there is no indication of efficiency, reliability, or honesty, nor is there any level of guaranteed competence. The consumers will still need to count on free market solutions to know the quality of the inspector that they are hiring. Lastly, the license system creates larger but not better government. Although the joint board overseeing this new license will be self-funding under this statute, there is no liability to the state if the individual licensed by the state fails to do a good job and therefore the consumer is paying for something that they are not getting. The minority recommends this bill be held for interim study to make sure the bill is ready to be turned into a statute.

Majority Amendment (1273h)

Amend RSA 310-A:203, III as inserted by section 2 of the bill by replacing it with the following: III. "Code of ethics" means the code of ethics described in RSA 310-A:205 that is followed by septic system evaluators who are licensed as septic system evaluators by the board.

Amend RSA 310-A:205, V as inserted by section 2 of the bill by deleting subparagraph (f).

Amend RSA 310-A:206, I(e) as inserted by section 2 of the bill by replacing it with the following:

- (e) An employee of the department of environmental services, appointed by the commissioner of the department of environmental services.
- Amend RSA 310-A:206, V as inserted by section 2 of the bill by replacing it with the following:
- V. Members shall be appointed for 5-year terms. Appointments for terms of less than 5 years may be made in order to stagger the appointments. No member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

Amend RSA 310-A:206, VIII and IX as inserted by section 2 of the bill by replacing them with the following:

- VIII.(a) The board shall keep a record of its proceedings and a register of all applications for licensure, which shall show:
 - (1) The name, age, and residence of each applicant.
 - (2) The date of application.
 - (3) The place of business of such applicant.
 - (4) The applicant's educational and other qualifications.
 - (5) Proof of passing the septic system evaluator exam.
 - (6) Whether the applicant was rejected and the reasons for such rejection.
 - (7) Whether a license was granted.
 - (8) The date of the action of the board.
 - (9) Such other information as may be deemed necessary by the board.
- (b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December 31, the board shall submit to the executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.
- IX. The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate. Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:
 - 310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.
- I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:
 - (a) Completion of classroom and field training at a board-approved evaluator course.
 - (b) Proof of passing the board-adopted examination required for licensure.
 - (c) Be at least 18 years of age.
- II. A person who currently holds a Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.
- III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An application for licensure under this paragraph

shall be made within one year following the effective date of this subdivision. The applicant shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

- IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be issued a license by the board without completion of the requirements of subparagraph I(a) or I(b) upon request of the applicant. An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision.
- V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.
- VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.
- VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:
 - (a) Misstatement of facts by the applicant in connection with the application;
- (b) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or
- (c) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.
- Amend RSA 310-A:215, II as inserted by section 2 of the bill by replacing it with the following:
- II. All licenses issued by the board shall expire on the last day of the license holder's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the license holder's name shall be removed from current status, and application for reinstatement shall be required to return to current status provided that the license holder provides satisfactory proof that all required continuing education requirements have been met. The board shall charge a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. If a license holder fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the license holder shall be required to reapply and to be re-examined for licensure.

Amend RSA 310-A:216 as inserted by section 2 of the bill by replacing it with the following:

310-A:216 Disciplinary Action.

- I. The board may undertake disciplinary proceedings upon written complaint of any person which charges that a person certified by the board has committed misconduct under paragraph II and which specifies the grounds therefor.
 - II. Misconduct sufficient to support disciplinary proceedings under this section shall include:
- (a) The practice of fraud or deceit in procuring or attempting to procure a license to practice under this subdivision.
- (b) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession.
- (c) Unfitness or incompetence by reason of negligence or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the license holder.
 - (d) Mental or physical incompetence to practice under this subdivision.
 - (e) Willful or repeated violation of the provisions of this subdivision.
- (f) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.
- (g) Violations of the code of ethics for septic system evaluators, or any other rule adopted by the board.
 - (h) Providing false testimony before the board.
- (i) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the board as a result of any formal complaint to the board alleging a violation of this subdivision.
- (j) Knowingly making or signing any false statement, license, or affidavit in connection with the practice of septic system evaluations.

Amend RSA 310-A:217, II as inserted by section 2 of the bill by replacing it with the following:

- II.(a) The board shall have the power to administer oaths or affirmations and preserve testimony.
- (b) The board may subpoena witnesses, and compel, by subpoena duces tecum, the production of all books, records, files and documents, whether originals, copies, or in electronic or other form, and other materials, relevant to its investigation of any grievance, complaint, or disciplinary proceeding before the board with the approval of the office of the attorney general.
- (c) A minimum of 10 business days' notice shall be given for compliance with a subpoena under this subdivision.

Amend RSA 310-A:219 - RSA 310-A:221 as inserted by section 2 of the bill by replacing them with the following:

310-A:219 Violations; Penalty.

- I. It shall be a class B misdemeanor, for the first offense, and a Class A misdemeanor for the second and any subsequent offense, for any natural person to:
 - (a) Present or attempt to use the license of another as one's own;
- (b) Give any false or forged evidence of any kind to the board or to any board member in obtaining a license;
 - (c) Attempt to use a revoked license;
- (d) Beginning January 1, 2017, practice septic system evaluations or to offer, advertise, or hold oneself out to the public as being in the practice of septic system evaluation in this state without a license; or
 - (e) Violate any of the provisions of this subdivision.
 - II. It shall be a violation for any natural person to attempt to use an expired license.
- 310-A:220 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:219 on proceedings brought by the attorney general, or the board.
- 310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect the following persons from evaluating septic systems:
- I. A person who is employed by a governmental entity if the inspection is within official duties and responsibilities.
- II. A septic system designer holding a current valid permit issued under RSA 485-A:35. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Hoell and Beaudoin spoke against and yielded to questions.

Rep. Cilley spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

Tholl, John

YEAS 178 NAYS 162

YEAS - 178 BELKNAP

Fields, Dennis

Theberge, Robert

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	McConkey, Mark
Parker, Harold	Ticehurst, Susan	Umberger, Karen	
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Roberts, Kris	Mann, John	Parkhurst, Henry
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Weber, Lucy		
		coos	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary	
Ford, Susan	Higgins, Patricia	Hennessey, Martha	Maes, Kevin	
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca	
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

		BBOROUGII	
Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Booras, Efstathia	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Forest, Armand
Freitas, Mary	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Jack, Martin	Jeudy, Jean	Christiansen, Lars
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	Long, Patrick	McCarthy, Peggy	Pellegrino, Anthony
Peterson, Ken	Porter, Marjorie	Proulx, Mark	Walsh, Robert
Rosenwald, Cindy	Shattuck, Gilman	Snow, Kendall	Soucy, Timothy
Vann, Ivy	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Ebel, Karen	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Frazer, June	Karrick, David	Kenison, Linda
Kotowski, Frank	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	Devine, James	DiFranco, Debbie
Edgar, Michael	Elliott, Robert	Rice, Frederick	Francese, Paula
Friel, William	Ward, Gerald	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Lovejoy, Patricia	Griffin, Mary	McBeath, Rebecca
Milz, David	Nigrello, Robert	Belanger, Ronald	Tilton, Rio
Sherman, Thomas	Simpson, Alexis	Sytek, John	Woitkun, Steven

STRAFFORD

Baber, William Cilley, Jacalyn	Berube, Roger Gardner, Janice	Bixby, Peter Gray, James	Burton, Wayne Horrigan, Timothy
Ward, Kenneth	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Treleaven, Susan	Wall, Janet

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee			

NAYS - 162 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Flanders, Donald
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Spanos, Peter	Sylvia, Michael	Fraser, Valerie	Vadney, Herbert

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank Nelson, Bill Schmidt, Stephen

CHESHIRE

Hunt, John McConnell, James

COOS

Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith Griffin, Barbara Balcom, John Adams, Christopher Biggie, Barbara Boehm, Ralph Bouldin, Amanda Burt, John Eastman, Eric Coffey, James Edelblut, Frank Byron, Frank Smith, Gregory Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Halstead, Carolyn Hansen, Peter Hogan, Edith Infantine, William Belanger, James Rice, Kimberly Hopper, Gary McClarren, Donald Lachance, Joseph LeBrun, Donald Marston, Dick McLean, Mark Moore, Josh Murotake, David Murphy, Keith Pierce, David Notter, Jeanine Ohm, Bill Palmer, Barry Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Shaw, Barbara Simmons, Tammy Twombly, Timothy Straight, Phillip Souza, Kathleen Stepanek, Stephen Zaricki, Nick Ulery, Jordan Sullivan, Victoria O'Brien, William

MERRIMACK

Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan French, Harold Hoell, J.R. Horn, Werner Kidder, David Kuch, Bill Marple, Richard Martin, John Parent, Jason Seaworth. Brian

ROCKINGHAM

Abramson, Max Allen, Mary Azarian, Garv Baldasaro, Alfred Cardon, G. Thomas Barnes, Arthur Bates, David Chirichiello, Brian Thomas, Douglas Dean-Bailey, Yvonne Doucette, Fred Duarte, Joe Emerick, J. Tracy Ferrante, Beverly Fesh. Robert Gannon, William Green, Dennis Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Sweeney, Joe Ward, Joanne Kappler, Lawrence Katsakiores, Phyllis Kolodziei, Walter Lundgren, David Major, Norman Manning, John McKinney, Betsy McMahon, Charles O'Connor, John Matthews, Carolyn Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Gordon, Richard Schroadter, Adam Spillane, James Tucker, Pamela Vose, Michael Webb, James True, Chris Welch, David Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Bickford, David Cheney, Catherine DeLemus, Susan Groen, Warren Jones, Laura Kaczynski, Thomas Hannon, Joseph Knowles, Robert Turcotte, Leonard Leeman, Don Mullen, John Pitre, Joseph Sprague, Dale Whitehouse, Joshua Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip Smith, Steven and the majority committee report was adopted and referred to the Committee on Finance.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill changes the appointment process for members of the commission and removes the requirement that appointees be approved by the Governor and Council. It adds additional reporting requirements to the governor's commission, including biannual reports on financial expenditures for substance abuse related work, and presentations once each legislative session to the Finance Committees of the House and Senate, the Health and Human Services Committees of both bodies, and the Joint Fiscal Committee. The bill appropriates the additional sums of \$3,000,000 to the governor's commission for contracts for program services, \$2,000,000 for funding supportive housing projects for persons with substance abuse disorders in fiscal year ending June 30, 2017. The bill appropriates \$20,830 for fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30 2017 to the department of justice for an additional assistant attorney general to prosecute drug cases. All sums appropriated will come from excess appropriations. Vote 18-0.

Amendment (1356h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Amend the bill by replacing section 10 with the following:

10 Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$3,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

II. For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

Amend the bill by replacing all after section 11 with the following:

12 Health and Human Services; Prevention Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2988 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

13 Health and Human Services; Clinical Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2990 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

14 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Dan McGuire spoke against.

The Speaker ruled the debate by Rep. Dan McGuire out of order.

Rep. Weber spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 235 NAYS 109

YEAS - 235 RELKNAP

		DELKNAP	
Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
	(CARROLL	
Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	1 1
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne
		GRAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Hennessey, Erin	Ford, Susan	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Brown, Rebecca	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Forest, Armand	Freitas, Mary	Smith, Gregory	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Infantine, William	Belanger, James	Jack, Martin	Jeudy, Jean
Rice, Kimberly	Kurk, Neal	LeBrun, Donald	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Murotake, David
Long, Patrick	McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert

Gionet, Edmond

Hull, Robert

Shattuck, Gilman Straight, Phillip Woodbury, David	Shaw, Barbara Vann, Ivy	Snow, Kendall Williams, Kermit	Soucy, Timothy Wolf, Terry
,,	MI	ERRIMACK	
Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Moffett, Howard Saunderson, George Wheeler, Deborah	Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Myler, Mel Schuett, Dianne	French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Patten, Dick Shurtleff, Stephen	Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Rogers, Katherine Wallner, Mary Jane
	RO	CKINGHAM	
Abrami, Patrick Borden, David Chirichiello, Brian DiFranco, Debbie Rice, Frederick Ward, Gerald Hoelzel, Kathleen Kolodziej, Walter Manning, John Milz, David Peckham, Michele Tilton, Rio Tucker, Pamela	Abramson, Max Cahill, Michael Cushing, Robert Doucette, Fred Fesh, Robert Guthrie, Joseph Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Potucek, John Sherman, Thomas Webb, James	Azarian, Gary Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Edgar, Michael Francese, Paula Hagan, Joseph Ward, Joanne Griffin, Mary McBeath, Rebecca O'Connor, John Prudhomme-O'Brien, Katherine Simpson, Alexis Welch, David	Berrien, Skip Cardon, G. Thomas Devine, James Elliott, Robert Friel, William Heffron, Frank Katsakiores, Phyllis Major, Norman McMahon, Charles Packard, Sherman Belanger, Ronald Sytek, John Weyler, Kenneth
, , , , , , , , , , , , , , , , , , , ,	•	RAFFORD	Weyler, Nermeur
Baber, William Burton, Wayne Gray, James Smith, Marjorie Spang, Judith	Berube, Roger Cheney, Catherine Hannon, Joseph Schmidt, Peter Sprague, Dale	Bickford, David Cilley, Jacalyn Horrigan, Timothy Rollo, Deanna Treleaven, Susan	Bixby, Peter Gardner, Janice Ward, Kenneth Southworth, Thomas Wall, Janet
- F 9 , - 		ULLIVAN	wan, banet
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond O'Hearne, Andrew
	N	AYS - 109	
	В	ELKNAP	
Aldrich, Glen LeBreche, Shari Vadney, Herbert	Tilton, Franklin Spanos, Peter	Howard, Raymond Sylvia, Michael	Hurt, George Fraser, Valerie
	C	ARROLL	
Avellani, Lino McCarthy, Frank	Buco, Thomas	Comeau, Ed	Cordelli, Glenn
McConnell, James	Cı	HESHIRE	
Rideout, Leon		COOS	
	G	RAFTON	
Bailey, Brad Gionet Edmond	Brown, Duane	Darrow, Stephen	Johnson, Eric

Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Coffey, James	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Christiansen, Lars	Ober, Lynne	Lachance, Joseph	Marston, Dick
Martel, Andre	McClarren, Donald	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Christie, Rick
Ober, Russell	Sanborn, Laurie	Seidel, Carl	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	O'Brien, William	Zaricki, Nick	•

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hoell, J.R.	Hom, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Thomas, Douglas	Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Kappler, Lawrence	Lundgren, David	McKinney, Betsy	Osborne, Jason
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael	Woitkun, Steven		

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the committee report was adopted and referred to the Committee on Finance.

SB 409-FN, relative to the first responder's critical injury benefit. OUGHT TO PASS WITH AMENDMENT.

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. This bill amends a prior law enacted in 2014 (SB 204, Chapter 242) that created a temporary workers' compensation-type benefit program for first responders injured in the line of duty. The law was temporary to give the legislature time to review this benefit for all workers and not just first responders. The bill that came from the Senate made this temporary benefit permanent even though a thorough study making this benefit for all workers was not completed. The committee amended the bill to continue the benefit for one additional year through June of 2017 and established a study committee made up of three House members and one Senator. Vote 15-1.

Amendment (1330h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

- 1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:
- II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] 2017. Benefits paid under this section for all claimants shall not exceed \$500,000.
 - 2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:
 - I. Paragraph I of section 2 of this act shall take effect June 30, [2016] 2017.

- 3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Established.
- I. There is established a committee to study soft tissue injuries for purposes of workers' compensation.
 - (a) The members of the committee shall be as follows:
 - (1) One member of the senate, appointed by the president of the senate.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - II. The committee shall study soft tissue injuries for purposes of workers' compensation.
- III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.
- IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.
 - 4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation. Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 480-FN-A, relative to the state house visitor's center revolving fund. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Legislative Administration. Currently, all funds from the special markups on the sale of commemorative bottles are deposited in the Historical Fund for the sole purpose of restoring the Civil War battle flags. Because some important preservation measures such as work on the display cases or preventing ultraviolet light from the windows are not done to the flags themselves, the bill, as amended, broadens the permitted use of markup revenue to allow for the preservation of the Hall of Flags and the battle flags on display there. Secondly, the bill abolishes three special accounts; the Bicentennial Diorama Account, the Historic Flag Restoration Account, and the Flag Restoration and Care Account and consolidates the sums contained in those accounts, along with the remaining sum in the already repealed Civil War Memorials Fund, in the Historical Fund. Finally, the bill as amended provides that sums over \$50,000 in the State House Visitor's Center Revolving Fund on June 30th of any fiscal year shall be deposited in the Historical Fund, instead of the General Fund. Vote 8-0.

Amendment (1350h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the historical fund.

Amend the bill by replacing all after the enacting clause with the following:

1 State House Visitor's Center Revolving Fund. Amend RSA 17-E:7 to read as follows:

17-E:7 State House Visitor's Center Revolving Fund. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the state house visitor's center revolving fund which shall be kept separate and distinct from all other funds. The state house visitor's center revolving fund shall be within the oversight of the joint legislative facilities committee established in RSA 17-E:1. Moneys received from the sale of merchandise at the state house visitor's center, including online sales, shall be deposited in such fund and used to purchase merchandise for the visitor's center. The amount in the fund shall not exceed \$50,000 on June 30 of any fiscal year and any moneys in excess of said amount shall be deposited in the [general fund as unrestricted revenue] historical fund, established in RSA 177:8.

2 Historical Fund; Preservation of the State House Hall of Flags. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the

oversight of the joint legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the joint legislative historical committee in carrying out its responsibilities under RSA 17-I. The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of [Civil War battle flags displayed at the state house | the state house hall of flags and the battle flags displayed in the hall of flags.

3 Department of Administrative Services; Certain Special Legislative Accounts Abolished. The commissioner of administrative services shall abolish the following special accounts and transfer any balance remaining in the accounts as of June 30, 2016 to the historical fund, established in RSA 177:8:

I. The four bicentennial dioramas account (account organization code 1471).

II. The historic flag restoration account (account organization code 1479).

III. The flag restoration and care account (account organization code 1485).

4 Civil War Memorials Fund. On June 30, 2016, any balance remaining in the civil war memorials fund (account organization code 8875), established in RSA 21-K:22 and repealed December 31, 2010, by 2010, 368:1(38), shall be transferred to the historical fund, established in RSA 177:8.

5 Effective Date. This act shall take effect June 30, 2016.

AMENDED ANALYSIS

This bill:

I. Provides that funds over \$50,000 in the state house visitor's center revolving fund shall be deposited in the historical fund.

II. Directs the joint legislative historical committee to use the funds from special markups on commemorative bottles for the preservation of the state house hall of flags and the battle flags displayed in the hall of flags.

III. Directs the commissioner of administrative services to abolish the bicentennial dioramas account, the historic flag restoration account, and the flag restoration and care account.

IV. Transfers any funds remaining in these accounts and in the civil war memorials fund on June 30, 2016 to the historical fund.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. OUGHT TO PASS.

Rep. Martin Jack for Public Works and Highways. This bill repurposes \$260,000 of the \$600,000 appropriated in HB 25 to purchase land for the Hampton Circuit Court. The funds are available since the land will cost substantially less than appropriated. Under the auspices of the department of environmental services, the bill proposes to use the funds to fill gaps in the state's ability to generate and analyze scientific data in the Great Bay and Hampton Harbor in order to better understand water quality trends and support local and state decision-making. There is a detailed plan for how the funds will be spent, including additional areas of the Great Bay; a pH sensor, and new surface sensors for existing stations, and other items. The location is one of 28 nationally significant sites in the federal estuaries program. Monitoring is done by a formally organized partnership involving UNH and about 200 other stakeholders. Among other issues, it is important to keep the clam and oyster habitats and the eelgrass population vibrant to preserve the estuaries. Because the estuaries are economically significant and can be fragile, and new EPA rules have recently taken effect, it is advisable to take this action outside the normal capital budget cycle. Because the bill repurposes an existing appropriation, there is no impact on total bonded indebtedness. Vote 8-7. Rep. Porter requested a roll call; sufficiently seconded.

YEAS 208 NAYS 136

YEAS - 208 BELKNAP

Fields, Dennis Flanders, Donald

CARROLL

McCarthy, Frank McConkey, Mark Butler, Edward Buco, Thomas Umberger, Karen Ticehurst, Susan Parker, Harold

CHESHIRE

Abbott, Michael Bordenet, John Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Ames, Richard Chase, Cynthia Hunt, John Pearson, William Weber, Lucy

Eaton, Daniel Roberts, Kris Robertson, Timothy

Tilton, Benjamin

Berch, Paul Emerson, Susan Mann, John Sad, Tara

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard Ford, Susan Massimilla, Linda Smith, Suzanne Almy, Susan Higgins, Patricia Nordgren, Sharon Sykes, George Bennett, Travis Hennessey, Martha Piper, Wendy Townsend, Charles Cooney, Mary Maes, Kevin Brown, Rebecca White, Andrew

HILLSBOROUGH

Adams, Christopher Beaulieu, Jane Christensen, Chris Sullivan, Daniel Gargasz, Carolyn Gould, Linda Harvey, Suzanne Jack, Martin O'Brien, Michael McCarthy, Peggy Pierce, David Walsh, Robert Shattuck, Gilman Souza, Kathleen Wolf, Terry

Backus, Robert
Biggie, Barbara
Cohen, Alan
DiSilvestro, Linda
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Jeudy, Jean
Mangipudi, Latha
Palmer, Barry
Porter, Marjorie
Rosenwald, Cindy
Shaw, Barbara
Takesian, Charlene
Woodbury, David

Balcom, John
Booras, Efstathia
Cornell, Patricia
Forest, Armand
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Christiansen, Lars
Manley, Jonathan
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Snow, Kendall
Vann, Ivy

Baroody, Benjamin Bouldin, Amanda Cote, David Freitas, Mary Gorman, Mary Hansberry, Daniel Infantine, William Leishman, Peter Long, Patrick Peterson, Ken Christie, Rick Seidel, Carl Soucy, Timothy Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Moffett, Howard Saunderson, George Wheeler, Deborah Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Myler, Mel Schuett, Dianne

Abramson, Max

French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Patten, Dick Shurtleff, Stephen

Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cardon, G. Thomas Doucette, Fred Rice, Frederick Friel, William Heffron, Frank Manning, John Peckham, Michele Sherman, Thomas Woitkun. Steven

Borden, David
Cushing, Robert
Edgar, Michael
Ferrante, Beverly
Ward, Gerald
Ward, Joanne
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Simpson, Alexis

Azarian, Gary Cahill, Michael Devine, James Elliott, Robert Fesh, Robert Guthrie, Joseph Lovejoy, Patricia McKinney, Betsy Tilton, Rio Tucker, Pamela Barnes, Arthur Cali-Pitts, Jacqueline DiFranco, Debbie Emerick, J. Tracy Francese, Paula Hagan, Joseph Griffin, Mary McMahon, Charles Schroadter, Adam Webb, James

STRAFFORD Bickford, David Bixby, Peter Baber, William Berube, Roger Gray, James Cilley, Jacalyn Gardner, Janice Burton, Wayne Smith, Marjorie Kaen, Naida Horrigan, Timothy Ward, Kenneth Rollo, Deanna Southworth, Thomas Schmidt, Peter Mullen, John Wall, Janet Sprague, Dale Treleaven, Susan Spang, Judith Whitehouse, Joshua SULLIVAN Converse, Larry Gagnon, Raymond Cloutier, John Schmidt, Andrew O'Hearne, Andrew Grenier, James Irwin, Virginia Gottling, Suzanne Oxenham, Lee **NAYS - 136** BELKNAP Tilton, Franklin Gallagher, Brian Aldrich, Glen Dumais, Russell Spanos, Peter Hurt, George LeBreche, Shari Howard, Raymond Vadney, Herbert Fraser, Valerie Sylvia, Michael **CARROLL** Cordelli, Glenn Comeau. Ed Avellani, Lino Chandler, Gene Crawford, Karel Nelson, Bill Schmidt, Stephen **CHESHIRE** Sterling, Franklin McConnell, James COOS Tholl, John Rideout, Leon GRAFTON Hennessey, Erin Darrow, Stephen Bailey, Brad Brown, Duane Hull, Robert Ladd, Rick Gionet, Edmond Johnson, Eric Shackett, Jeffrey HILLSBOROUGH Boehm, Raiph Ammon, Keith Griffin, Barbara Barry, Richard Coffey, James Danielson, David Burt, John Byron, Frank Ferreira, Elizabeth Edelblut, Frank Estevez, Eric Eastman, Eric Flanagan, Jack Fromuth, Bart Smith, Gregory Gagne, Larry Hinch, Richard Hogan, Edith Halstead, Carolyn Hansen, Peter Kurk, Neal Rice, Kimberly Hopper, Gary Belanger, James Ober, Lynne LeBrun, Donald Marston, Dick McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Ober, Russell Rouillard, Claire Notter, Jeanine Ohm, Bill Simmons, Tammy Stepanek, Stephen Straight, Phillip Sanborn, Laurie Sullivan, Victoria O'Brien, William Twombly, Timothy Ulery, Jordan Zaricki, Nick MERRIMACK McGuire, Dan Brewster, Michael McGuire, Carol Long, Douglas French, Harold Hoell, J.R. Horn, Werner Kuch, Bill Seaworth, Brian Parent, Jason Marple, Richard Martin, John ROCKINGHAM

Baldasaro, Alfred

Dean-Bailey, Yvonne

Allen, Mary

Thomas, Douglas

Bates, David

Duarte, Joe

Chirichiello, Brian

Gannon, William

O
Green, Dennis
Sweeney, Joe
Lundgren, David
Nigrello, Robert
Potucek, John
Sytek, John
Weyler, Kenneth

Harris, Jeffrey
Kappler, Lawrence
Major, Norman
O'Connor, John
Belanger, Ronald
True, Chris

noagaon, Bruce
Katsakiores, Phyllis
Matthews, Carolyn
Osborne, Jason
Gordon, Richard
Vose, Michael

Underday Dura

Hoeizel, Kallileell
Kolodziej, Walter
Milz, David
Packard, Sherman
Spillane, James
Welch, David

Hoolzel Kathleen

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Turcotte, Leonard

Cheney, Catherine Jones, Laura Leeman, Don DeLemus, Susan Kaczynski, Thomas Pitre, Joseph

Groen, Warren Knowles, Robert Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Finance.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. OUGHT TO PASS WITH AMENDMENT.

Rep. John Mullen for Resources, Recreation and Development. This bill was brought forth from a study committee to provide needed revenue to help maintain OHRV trails in NH. Currently snowmobilers, both club members and non-members, pay at registration a trail maintenance fee of \$30 which is payable to the Department of Resources and Economic Development, Bureau of Trails for the bureau's grant-in-aid program which provides for trail improvement and maintenance. Having good trails is an economic benefit to all of New Hampshire. This bill parallels the snowmobile statute and applies it to OHRV trail users who up until now have had little support for trail maintenance, repair, and construction. The new \$30 user fee attached to the registration fee is the same as is currently applied to snowmobile registrations. These OHRV funds will be administered the same way as with snowmobiles and the Bureau of Trails. Additionally, the bill instructs the Department of Fish and Game, Bureau of Trails, and the NH Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. Vote 17-2.

Amendment (1333h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

Amend the bill by replacing all after section 3 with the following:

4 Fish and Game Department; Report on Registration Alternatives. The executive director of the fish and game department shall work in conjunction with the New Hampshire Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. The executive director shall report any findings or recommendations resulting from the study to the president of the senate and the speaker of the house of representatives on or before December 1, 2017.

- 5 Effective Date.
 - I. Section 4 of this act shall take effect upon its passage.
 - II. The remainder of this act shall take effect May 1, 2018.

AMENDED ANALYSIS

This bill establishes an OHRV registration fee for persons who are members of an OHRV club which is reduced \$30 from the increased fee paid by other registrants. The bill also requires the executive director of the fish and game department to report on registration alternatives for OHRV users who do not use organized trail systems.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 262 NAYS 83

YEAS - 262 BELKNAP

Dumais, Russell Tilton, Franklin Flanders, Donald Gallagher, Brian Fraser, Valerie CARROLL Chandler, Gene Cordelli, Glenn Buco, Thomas Butler, Edward Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold Ticehurst, Susan Umberger, Karen Schmidt, Stephen CHESHIRE Berch, Paul Ames, Richard Tilton, Benjamin Abbott, Michael Chase, Cynthia Eaton, Daniel Emerson, Susan Bordenet, John Mann, John Hunt, John Roberts, Kris Johnsen, Gladys Robertson, Timothy Parkhurst, Henry Pearson, William McConnell, James Weber, Lucy Sad. Tara Shepardson, Marjorie Sterling, Franklin COOS Moynihan, Wayne Fothergill, John Froburg, Alethea Hatch, William Rideout, Leon Theberge, Robert Tholl, John Richardson, Herbert GRAFTON Almy, Susan Bailey, Brad Bennett, Travis Abel. Richard Brown, Duane Darrow, Stephen Hennessey, Erin Cooney, Mary Ladd, Rick Higgins, Patricia Ford, Susan Gionet, Edmond Nordgren, Sharon Hennessey, Martha Maes, Kevin Massimilla, Linda Piper, Wendy Brown, Rebecca Shackett, Jeffrey Smith, Suzanne White, Andrew Sykes, George Townsend, Charles HILLSBOROUGH Griffin, Barbara Backus, Robert Balcom, John Adams, Christopher Biggie, Barbara

Barry, Richard Baroody, Benjamin Boehm, Raiph Booras, Efstathia Cornell, Patricia Cohen, Alan DiSilvestro, Linda Danielson, David Freitas, Mary Forest, Armand Gargasz, Carolyn Gidge, Kenneth Guerette, C. Lee Gould, Linda Harvey, Suzanne Hansen, Peter Hopper, Gary Hinch, Richard Jeudy, Jean Kurk, Neal Leishman, Peter LeBrun, Donald McCarthy, Peggy Long, Patrick Peterson, Ken Pierce, David Walsh, Robert Rosenwald, Cindy Seidel, Carl Shattuck, Gilman Straight, Phillip Soucy, Timothy Williams, Kermit Wolf, Terry

Beaulieu, Jane Christensen, Chris Cote, David Eastman, Eric Smith, Gregory Goley, Jeffrey Haefner, Robert Heath, Mary Belanger, James Christiansen, Lars O'Brien, Michael Palmer, Barry Porter, Mariorie Rouillard, Claire Shaw, Barbara Takesian, Charlene Woodbury, David

Balcom, John
Biggie, Barbara
Coffey, James
Sullivan, Daniel
Flanagan, Jack
Gagne, Larry
Gorman, Mary
Hansberry, Daniel
Herbert, Christopher
Jack, Martin
Ober, Lynne
Mangipudi, Latha
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Snow, Kendall
Vann, Ivy

MERRIMACK

Alicea, Caroletta Brewster, Michael Long, Douglas Henle, Paul Karrick, David French, Barbara McGuire, Carol Doherty, David Hirsch, Geoffrey Kenison, Linda Bartlett, Christy Rice, Chip Ebel, Karen Horn, Werner Kidder, David Bradley, Paula Carson, Clyde Gile, Mary Frazer, June Kotowski, Frank

000	HOUSE JOURI	NAL APRIL 20, 2010	
Kuch, Bill Moffett, Howard Rogers, Katherine Wallner, Mary Jane	Luneau, David Myler, Mel Saunderson, George Wheeler, Deborah	MacKay, James Parent, Jason Schuett, Dianne	Martin, John Patten, Dick Shurtleff, Stephen
	ROC	CKINGHAM	
Abrami, Patrick Berrien, Skip Cardon, G. Thomas Dean-Bailey, Yvonne Edgar, Michael Ferrante, Beverly Guthrie, Joseph Hoelzel, Kathleen Lovejoy, Patricia Manning, John McMahon, Charles Packard, Sherman Belanger, Ronald Simpson, Alexis Weyler, Kenneth	Allen, Mary Borden, David Chirichiello, Brian Devine, James Elliott, Robert Francese, Paula Hagan, Joseph Ward, Joanne Lundgren, David Matthews, Carolyn Milz, David Peckham, Michele Tilton, Rio Sytek, John Woitkun, Steven	Azarian, Gary Cahill, Michael Cushing, Robert DiFranco, Debbie Emerick, J. Tracy Friel, William Heffron, Frank Katsakiores, Phyllis Griffin, Mary McBeath, Rebecca Nigrello, Robert Potucek, John Schroadter, Adam Webb, James	Barnes, Arthur Cali-Pitts, Jacqueline Thomas, Douglas Doucette, Fred Rice, Frederick Ward, Gerald Hodgdon, Bruce Kolodziej, Walter Major, Norman McKinney, Betsy O'Connor, John Prudhomme-O'Brien, Katherine Sherman, Thomas Welch, David
•	•	RAFFORD	
Baber, William Burton, Wayne Hannon, Joseph Smith, Marjorie Southworth, Thomas Wall, Janet	Berube, Roger Cilley, Jacalyn Horrigan, Timothy Mullen, John Spang, Judith Wuelper, Kurt	Bickford, David Gardner, Janice Ward, Kenneth Schmidt, Peter Sprague, Dale	Bixby, Peter Gray, James Kaen, Naida Rollo, Deanna Treleaven, Susan

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	O'Hearne, Andrew	Oxenham, Lee
Rollins Skin	Smith Steven		

NAYS - 83 BELKNAP

Aldrich, Glen	Fields, Dennis	Howard, Haymond	Hurt, George
LeBreche, Shari	Spanos, Peter	Sylvia, Michael	Vadney, Herbert

CARROLL

vellani, Lino	Comeau, Ed	McCarthy,	Frank

COOS

Thomas, Yvonne

GRAFTON

Johnson, Eric Hull, Robert

HILLSBOROUGH

	III EESDONOCGII			
Ammon, Keith	Bouldin, Amanda	Burt, John	Byron, Frank	
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	
Halstead, Carolyn	Hogan, Edith	Infantine, William	Rice, Kimberly	
Lachance, Joseph	Manley, Jonathan	Marston, Dick	McClarren, Donald	
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith	
Notter, Jeanine	Ohm, Bill	Christie, Rick	Ober, Russell	
Sanborn, Laurie	Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	
Twombly, Timothy Zaricki, Nick	Ulery, Jordan	Sullivan, Victoria	O'Brien, William	

MERRIMACK

Turcotte, Alan McGuire, Dan French, Harold Hill, Gregory Hoell, J.R. Marple, Richard Seaworth, Brian

ROCKINGHAM

Bates, David Duarte, Joe Baldasaro, Alfred Abramson, Max Gannon, William Green, Dennis Harris, Jeffrey Fesh. Robert Gordon, Richard Osborne, Jason Sweeney, Joe Kappler, Lawrence Vose, Michael Tucker, Pamela True, Chris Spillane, James

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Groen, Warren Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard Leeman, Don Pitre, Joseph Whitehouse, Joshua

SULLIVAN

Irwin, Virginia Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

SB 492-FN, relative to expenditures from the energy efficiency fund. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill creates close to \$40 million in new energy savings each year. The bill directs the business allocation from the Energy Efficiency Fund to go to rebates for business, thereby driving down electrical costs for our businesses, especially those large energy users. It directs the residential allocation from the Energy Efficiency Fund to support high demand, cost effective energy efficiency programs, all of which are privately managed, award winning statewide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. Unlike previous proposals, this bill increases money going to low-income weatherization from the current 15% to 35%. This will service over 400 additional low-income renters and homeowners across the state and will cut their household energy bills by up to 30%, allowing them to afford other basic necessities, avoid springtime evictions and foreclosures, and reduce reliance on local welfare. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be chipped away at. Hundreds more middle income residential customers falling above the qualification for the low-income program will also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. Finally, our manufacturing sector on the LG electric rate (greater than 1,000-kilowatt demand) will receive an average reduction of \$200 per month. The minority argues we should socialize the residential allocation and give an average of between \$1.30 and \$1.70 per month to every residential customer from the Energy Efficiency Fund, rather than supporting high quality energy efficiency for hundreds of residential households, municipalities, and school districts across the state that are clearly struggling to get their energy bills under control. The majority believes it is a much better return on investment to support hundreds of jobs, provide property tax relief, create about \$40 million in new energy savings each year, and drastically reduce energy and grid demands that drive down prices for all ratepayers. This bill is supported by a wide array of stakeholders, including the Business and Industry Association, the Office of Consumer Advocate (which represents residential ratepayers), NH Legal Assistance which represents low-income residential ratepayers, the NH Municipal Association, and Community Action Programs which provide services to low-income clients across our state. Vote 12-5.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill provides language that duplicates an amendment that the Senate applied to HB 208 last year. It eliminates the ratepayer rebate of \$10 million of Regional Greenhouse Gas Initiative (RGGI) auction proceeds. Instead, it spends those funds to expand energy efficiency projects for low-income residents and local government buildings. This income redistribution will cost the average NH ratepayer \$1.70 per month or \$20 per year. It discourages civic responsibility by allowing towns and school districts

Aldrich Clan

Stepanek, Stephen

Ulery, Jordan

Zaricki, Nick

to postpone energy efficiency projects while waiting and hoping for a state grant. It redistributes ratepayer monies to a narrow group of favored recipients. It requires seniors struggling to pay for food and medicine to pay higher electricity costs to support energy efficiency projects for others. The bill rebates funds to commercial/industrial customers at the expense of residential customers. Two local government representatives who testified said that energy efficiency projects in their towns did not lower the local tax rate.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Vose spoke against and yielded to questions.

Rep. Mann spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Carol McGuire moved that SB 492-FN, relative to expenditures from the energy efficiency fund, be laid on the table.

Rep. Baber requested a roll call; sufficiently seconded.

YEAS 189 NAYS 155

YEAS - 189

	BELKNAP
ımais, Russell	Tilton, Fi
Machar Drian	Harrand

Aldrich, Glen	Dumais, nussell	riitori, Frankiin	rieias, Dennis
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
LeBreche, Shari	Spanos, Peter	Sylvia, Michael	Fraser, Valerie
Vadney, Herbert		•	

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	

CHESHIRE Emerson, Susan Hunt, John Roberts, Kris

Straight, Phillip

Sullivan, Victoria

McConnell, James Sterling, Franklin

COOS

Rideout, Leon Tholl, John

GRAFTON

Balley, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Shackett, Jeffrey

HILLSBOROUGH

Takesian, Charlene

O'Brien, William

Twombly, Timothy

Wolf, Terry

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Smith, Gregory	Gagne, Larry
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Belanger, James
Rice, Kimberly	Kurk, Neal	Christiansen, Lars	Ober, Lynne
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Christie, Rick	Ober, Russell	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Seidel, Carl	Simmons, Tammy	Souza, Kathleen

MERRIMACK

	MERF	RIMACK	
Turcotte, Alan McGuire, Dan Kidder, David Martin, John	Brewster, Michael French, Harold Kotowski, Frank Parent, Jason	McGuire, Carol Hill, Gregory Kuch, Bill Seaworth, Brian	Long, Douglas Hoell, J.R. Marple, Richard Wheeler, Deborah
	ROCK	INGHAM	
Abramson, Max Barnes, Arthur Thomas, Douglas Duarte, Joe Fesh, Robert Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman Milz, David Potucek, John Tilton, Rio Tucker, Pamela Weyler, Kenneth	Allen, Mary Bates, David Dean-Bailey, Yvonne Emerick, J. Tracy Friel, William Hagan, Joseph Sweeney, Joe Kolodziej, Walter Manning, John Nigrello, Robert Prudhomme-O'Brien, Katherine Spillane, James Vose, Michael Woitkun, Steven	Azarian, Gary Cali-Pitts, Jacqueline Devine, James Rice, Frederick Gannon, William Harris, Jeffrey Ward, Joanne Lundgren, David Matthews, Carolyn O'Connor, John Belanger, Ronald Sytek, John Webb, James	Baldasaro, Alfred Chirichiello, Brian Doucette, Fred Ferrante, Beverly Green, Dennis Hodgdon, Bruce Kappler, Lawrence Griffin, Mary McKinney, Betsy Osborne, Jason Gordon, Richard True, Chris Welch, David
	STRA	AFFORD	
Beaudoin, Steven DeLemus, Susan Jones, Laura Leeman, Don Wuelper, Kurt	Bickford, David Gray, James Kaczynski, Thomas Mullen, John	Cheney, Catherine Groen, Warren Knowles, Robert Pitre, Joseph	Cilley, Jacalyn Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua
_		LIVAN	
Laware, Thomas	Rollins, Skip		
	NAY	/S - 155	
	CAI	RROLL	
Buco, Thomas McConkey, Mark	Butler, Edward Parker, Harold	Chandler, Gene Ticehurst, Susan	McCarthy, Frank
	СН	ESHIRE	
Abbott, Michael Bordenet, John Mann, John Sad, Tara	Ames, Richard Chase, Cynthia Parkhurst, Henry Shepardson, Marjorie	Tilton, Benjamin Eaton, Daniel Pearson, William Weber, Lucy	Berch, Paul Johnsen, Gladys Robertson, Timothy
	C	coos	
Fothergill, John Richardson, Herbert	Froburg, Alethea Theberge, Robert	Hatch, William Thomas, Yvonne	Moynihan, Wayne
	GR	AFTON	
Abel, Richard Ford, Susan Maes, Kevin Brown, Rebecca White, Andrew	Almy, Susan Higgins, Patricia Massimilla, Linda Smith, Suzanne	Bennett, Travis Ladd, Rick Nordgren, Sharon Sykes, George	Cooney, Mary Hennessey, Martha Piper, Wendy Townsend, Charles
	HILLS	BOROUGH	
Backus, Robert Cohen, Alan DiSilvestro, Linda	Baroody, Benjamin Cornell, Patricia Forest, Armand	Beaulieu, Jane Cote, David Freitas, Mary	Booras, Efstathia Sullivan, Daniel Gargasz, Carolyn

Harvey, Suzanne Heath, Infantine, William Jack, M O'Brien, Michael Mangip Porter, Marjorie Walsh, Shaw, Barbara Snow,	,	Hansberry, Daniel Hopper, Gary Leishman, Peter Long, Patrick Shattuck, Gilman Vann, Ivy
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MERRIMACK

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Horn, Werner	Frazer, June	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane	•	•

ROCKINGHAM

Abrami, Patrick Cardon, G. Thomas Elliott, Robert	Berrien, Skip Cushing, Robert Francese, Paula	Borden, David DiFranco, Debbie	Cahill, Michael Edgar, Michael
Lovejoy, Patricia Peckham, Michele	McBeath, Rebecca Sherman, Thomas	Ward, Gerald McMahon, Charles Simpson, Alexis	Heffron, Frank Packard, Sherman

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Gardner, Janice	Horrigan, Timothy	Ward, Kenneth	Kaen, Naida
Smith, Marjorie	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet
	· -		•

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Smith, Steven		

and the motion was adopted.

Rep. Murotake declared a conflict of interest and did not participate.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of SB 210-FN, relative to regulation of septic system evaluators. The Speaker referred SB 210-FN to the Committee on Ways and Means.

REGULAR CALENDAR PART I CONT'D

SB 510-FN, relative to parking at state park parking meters. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for the Majority of Transportation. This bill adds a set of restrictions from existing law regarding free parking by state park motor vehicle plate holders. The intent is to end the practice of these plate holders occupying prime parking during peak and weekend times with no limitations or fees, thus allowing more parking for all. A new paragraph does allow the commissioner to assess an increased rate during peak times, however the Fiscal Committee of the General Court can deny such a plan. Vote 14-3.

Rep. Chris True for the Minority of Transportation. The minority feels giving authority to the Commissioner of the Department of Resources and Economic Development to raise rates on weekends and holidays, with approval of the Fiscal Committee, unfairly hits the working man in the wallet. Many working people can only go to the beach on weekends and holidays, and those days may be subject to higher parking fees.

The question being adoption of the majority committee report of Ought to Pass. Rep. Steven Smith spoke in favor.

Rep. True spoke against and requested a roll call; sufficiently seconded.

YEAS 246 NAYS 99

YEAS - 246

BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	Fraser, Valerie	Vadney, Herbert

CARROLL

Butler, Edward	Chandler, Gene	Comeau, Ed	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Hunt, John	Roberts, Kris	Mann, John	Parkhurst, Henry
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Brown, Duane	Darrow, Stephen	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Ammon, Keith Baroody, Benjamin	Griffin, Barbara Barry, Richard	Backus, Robert Beaulieu, Jane	Balcom, John Biggie, Barbara
Booras, Efstathia	Byron, Frank	Christensen, Chris	Coffey, James
Cohen, Alan	Cornell, Patricia	Sullivan, Daniel	DiSilvestro, Linda
Edelblut, Frank	Estevez, Eric	Flanagan, Jack	Forest, Armand
Freitas, Mary	Fromuth, Bart	Gagne, Larry	Gidge, Kenneth
Goley, Jeffrey	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Jeudy, Jean	Kurk, Neal	Christiansen, Lars
Ober, Lynne	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	Martel, Andre	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Ohm, Bill	Long, Patrick
McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Ober, Russell	Walsh, Robert
Rosenwald, Cindy	Rowe, Robert	Seidel, Carl	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Takesian, Charlene	Sullivan, Victoria
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick

MERRIMACK

French, Barbara	Bartlett, Christy	Bradley, Paula	McGuire, Carol
Rice, Chip	Carson, Clyde	Long, Douglas	Doherty, David
Ebel, Karen	Gile, Mary	French, Harold	Henle, Paul

Hogan, Edith

Rice, Kimberly

Murphy, Keith

Hopper, Gary

Lachance, Joseph

Notter, Jeanine

Infantine, William

LeBrun, Donald

Proulx, Mark

Belanger, James

O'Brien, Michael

Christie, Rick

894	House Jour	NAL APRIL 20, 2016	
Hess, David Karrick, David Luneau, David Parent, Jason Schuett, Dianne	Hill, Gregory Kenison, Linda MacKay, James Patten, Dick Shurtleff, Stephen	Hirsch, Geoffrey Kidder, David Martin, John Rogers, Katherine Wallner, Mary Jane	Horn, Werner Kotowski, Frank Moffett, Howard Saunderson, George
	ROC	CKINGHAM	
Abrami, Patrick Berrien, Skip Chirichiello, Brian DiFranco, Debbie Elliott, Robert Fesh, Robert Hagan, Joseph Ward, Joanne Griffin, Mary McKinney, Betsy Packard, Sherman Tilton, Rio Sytek, John Woitkun, Steven	Allen, Mary Borden, David Cushing, Robert Doucette, Fred Emerick, J. Tracy Francese, Paula Heffron, Frank Katsakiores, Phyllis Major, Norman Milz, David Peckham, Michele Schroadter, Adam Webb, James	Azarian, Gary Cali-Pitts, Jacqueline Thomas, Douglas Duarte, Joe Rice, Frederick Friel, William Hoelzel, Kathleen Kolodziej, Walter Manning, John Nigrello, Robert Potucek, John Sherman, Thomas Welch, David	Barnes, Arthur Cardon, G. Thomas Devine, James Edgar, Michael Ferrante, Beverly Ward, Gerald Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn O'Connor, John Belanger, Ronald Simpson, Alexis Weyler, Kenneth
	ST	RAFFORD	
Baber, William Cheney, Catherine Ward, Kenneth Mullen, John Spang, Judith	Berube, Roger Cilley, Jacalyn Kaen, Naida Schmidt, Peter Sprague, Dale	Bickford, David Gardner, Janice Turcotte, Leonard Pitre, Joseph Treleaven, Susan	Bixby, Peter Gray, James Smith, Marjorie Southworth, Thomas Wall, Janet
	SU	ULLIVAN	
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond Laware, Thornas
	N	AYS - 99	
	В	ELKNAP	
Aldrich, Glen Sylvia, Michael	Howard, Raymond	LeBreche, Shari	Spanos, Peter
	C	ARROLL	
Avellani, Lino Ticehurst, Susan	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank
		HESHIRE	
Tilton, Benjamin	McConnell, James	coos	
Rideout, Leon	Theberge, Robert	RAFTON	
Bailey, Brad	Johnson, Eric	Hull, Robert	Massimilla, Linda
	нпл	SBOROUGH	·
Adams, Christopher Danielson, David Gorman, Mary	Boehm, Ralph Eastman, Eric Gould, Linda	Burt, John Ferreira, Elizabeth Halstead, Carolyn	Cote, David Smith, Gregory Hansen, Peter

Whitehouse, Joshua

Rouillard, Claire Souza, Kathleen Ulery, Jordan	Sanborn, Laurie Stepanek, Stephen Vann, Ivy	Simmons, Tammy Straight, Phillip O'Brien, William	Snow, Kendall Twombly, Timothy
	ME	ERRIMACK	
Turcotte, Alan Hoell, J.R. Myler, Mel	Alicea, Caroletta Frazer, June Seaworth, Brian	Brewster, Michael Kuch, Bill Wheeler, Deborah	McGuire, Dan Marple, Richard
	RO	CKINGHAM	
Abramson, Max Dean-Bailey, Yvonne Harris, Jeffrey McBeath, Rebecca Gordon, Richard Vose, Michael	Baldasaro, Alfred Gannon, William Hodgdon, Bruce McMahon, Charles Spillane, James	Bates, David Green, Dennis Kappler, Lawrence Osborne, Jason True, Chris	Cahill, Michael Guthrie, Joseph Lundgren, David Prudhomme-O'Brien, Katherin Tucker, Pamela
, , , , , , , , , , , , , , , , , , , ,	ST	RAFFORD	
Beaudoin, Steven Hannon, Joseph	Burton, Wayne Horrigan, Timothy	DeLemus, Susan Jones, Laura	Groen, Warren Kaczynski, Thomas

SULLIVAN

Rollo, Deanna

O'Hearne, Andrew

Knowles, Robert Wuelper, Kurt

and the majority committee report was adopted and referred to the Committee on Ways and Means.

SB 444-FN, relative to lottery retailer incentive awards. OUGHT TO PASS.

Rep. Bill Ohm for Ways and Means. The advent of large lottery jackpots has caused neighboring states to increase their seller incentives to promote sales. Awards of \$75,000 to \$100,000 for selling a winning ticket are now commonplace. New Hampshire currently caps the incentive at \$30,000. This bill would increase the cap to \$75,000 for an event likely to occur no more than once every year or two. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

Leeman, Don

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Amendment printed SJ 4/14/16)

Rep. Steven Smith moved that the House concur and spoke in favor. Motion adopted.

REGULAR CALENDAR - PART II

SB 509-FN, relative to voter registration forms and relative to voter identity verification. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James Gray for the Majority of Election Law. This bill incorporates changes to the Voter Registration form including the removal of existing wording requiring compliance with motor vehicle laws. The second section of this bill, as amended, changes the procedure for investigating voters who did not confirm their status after being sent a letter of identity verification. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. As justification for this change to the law it was reported that, over the course of several elections, a "large" number of voter identification letters have accumulated in the office of the NH Secretary of State. Under the current law, it is the duty of the Attorney General's (AG's) Office to investigate these returned letters, and determine whether any voter fraud has occurred. The AG's Office states that it does not have the available staff or budget to enable the process of investigation to be completed. This bill proposes to expand the power of investigation from the AG's Office to the Secretary of State and to town clerks and checklist supervisors. It would become the duty of the town clerks and checklist supervisors to undertake the time and effort to scrutinize the letters and investigate the circumstances, and then compile a "list" of "not...legal voters." The bill's fis-

cal note states that it would require additional staff time at the local level and could result in increased local expenditures. Even with this downshifting of investigation expenses to the local towns and cities, the Department of Justice further anticipates that some "temporary full-time" investigators and paralegals would be needed to implement the bill, at a cost to the department of at least \$167,000.00 per year. Over the years, the department's regular reports with respect the investigation of verifying letter has rarely if ever exposed any voter fraud. This bill downshifts unnecessary and burdensome state expenses onto cities and towns. It is opposed by the New Hampshire City and Town Clerks' Association. It creates expenses and personnel requirement upon the Department of Justice with no appropriations therefore, and no explanation as to the source of funding for the cities and towns.

Majority Amendment (1317h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from city and town clerks and supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general for investigation.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (1478h).

Floor Amendment (1478h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from the supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general who shall cause an investigation to be made to determine whether fraudulent voting occurred.

Rep. Ohm spoke in favor.

Rep. Moynihan spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 173 NAYS 125

YEAS - 173 BELKNAP

Tilton, Franklin Howard, Raymond Fraser, Valerie	Fields, Dennis Hurt, George Vadney, Herbert	Flanders, Donald LeBreche, Shari	Gallagher, Brian Spanos, Peter
		CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
		CHESHIRE	
Emerson, Susan	Hunt, John	McConnell, James	Sterling, Franklin
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	•	GRAFTON	
Bailey, Brad Johnson, Eric	Brown, Duane Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ladd, Rick

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christensen, Chris Edelblut, Frank Smith, Gregory Haefner, Robert Hopper, Garv LeBrun, Donald Murotake, David Palmer, Barry Rouillard, Claire Simmons, Tammy Ulery, Jordan

Ammon, Keith Boehm, Ralph Coffey, James Estevez, Eric Gagne, Larry Halstead, Carolyn Rice, Kimberly McClarren, Donald Murphy, Keith Peterson, Ken Rowe, Robert Straight, Phillip Sullivan, Victoria

Griffin, Barbara Burt, John Danielson, David Ferreira, Elizabeth Gargasz, Carolyn Hansen, Peter Kurk, Neal McLean, Mark Notter, Jeanine Proulx, Mark Sanborn, Laurie Takesian, Charlene Balcom, John Byron, Frank Eastman, Eric Fromuth, Bart Gould, Linda Hinch, Richard Christiansen, Lars Moore, Josh Ohm, Bill Christie, Rick Seidel, Carl Twombly, Timothy

MERRIMACK

Brewster, Michael Hill, Gregory Kuch, Bill Seaworth, Brian

McGuire, Carol Hoell, J.R. Marple, Richard Long, Douglas Horn, Werner Martin, John

Zaricki, Nick

McGuire, Dan Kotowski, Frank Parent, Jason

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Chirichiello, Brian Doucette, Fred Rice. Frederick Green, Dennis Hodgdon, Bruce Kappler, Lawrence Major, Norman Milz. David Packard, Sherman Gordon, Richard Svtek, John Webb, James

Abramson, Max Barnes, Arthur Thomas, Douglas Duarte, Joe Fesh, Robert Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Manning, John Nigrello, Robert Peckham, Michele Tilton, Rio True, Chris Welch, David

Alien, Marv Bates, David Dean-Bailey, Yvonne Elliott, Robert Friel, William Hagan, Joseph Sweeney, Joe Kolodziej, Walter O'Connor, John Potucek, John Schroadter, Adam

Matthews, Carolyn Tucker, Pamela Vose, Michael Weyler, Kenneth Woitkun, Steven

Azarian, Gary Cardon, G. Thomas Devine, James Emerick, J. Tracy Gannon, William Harris, Jeffrey Ward, Joanne Griffin, Mary McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Spillane, James

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Mullen, John

Bickford, David Groen, Warren Knowles, Robert Pitre, Joseph

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua DeLemus, Susan Jones, Laura Leeman, Don Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 125 **CARROLL**

Butler, Edward

Crawford, Karel

Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael Bordenet, John Roberts, Kris Robertson, Timothy Ames, Richard Chase, Cynthia Mann, John Sad. Tara

Tilton, Benjamin Eaton, Daniel Parkhurst, Henry Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William

COOS

Fothergill, John Theberge, Robert Froburg, Alethea

Hatch, William

Moynihan, Wayne

	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew
	HILI	SBOROUGH	
Backus, Robert	Beaulieu, Jane	Cohen, Alan	Cote, David
Forest, Armand	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Herbert, Christopher	Hogan, Edith
Belanger, James	Jack, Martin	Jeudy, Jean	Leishman, Peter
Manley, Jonathan	Long, Patrick	Pellegrino, Anthony	Pierce, David
Porter, Marjorie	Walsh, Robert	Shattuck, Gilman	Shaw, Barbara
Vann, Ivy	Williams, Kermit	Woodbury, David	
	ME	ERRIMACK	
Turcotte, Alan	Alicea, Caroletta	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Gile, Mary
French, Harold	Henle, Paul	Hirsch, Geoffrey	Frazer, June
Karrick, David	Kenison, Linda	MacKay, James	Moffett, Howard
Patten, Dick	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah	
	RO	CKINGHAM	
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Francese, Paula	Ward, Gerald
Heffron, Frank	McBeath, Rebecca	McKinney, Betsy	Belanger, Ronald
Sherman, Thomas	Simpson, Alexis		
	ST	RAFFORD	
Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Rollo, Deanna	Southworth, Thomas

Sprague, Dale

Smith, Marjorie Wall, Janet

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Cloutier, John Irwin, Virginia

Converse, Larry O'Hearne, Andrew Gagnon, Raymond

and floor amendment (1478h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Gray spoke in favor.

Rep. Moynihan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 194 NAYS 133

YEAS - 194

BELKNAP

Tilton, Franklin Aldrich, Glen Gallagher, Brian Howard, Raymond Spanos, Peter Fraser, Valerie

Fields, Dennis Hurt, George Vadney, Herbert Flanders, Donald LeBreche, Shari

CARROLL

Avellani, Lino Crawford, Karel Schmidt, Stephen Chandler, Gene McCarthy, Frank

Comeau, Ed McConkey, Mark Cordelli, Glenn Nelson, Bill

CHESHIRE

Emerson, Susan Sterling, Franklin Hunt, John

Roberts, Kris

McConnell, James

COOS

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Barry, Richard Biggie, Barbara Byron, Frank Christensen, Chris Edelblut, Frank Eastman, Eric Forest, Armand Fromuth, Bart Gargasz, Carolyn Gidge, Kenneth Hansen, Peter Halstead, Carolyn Hopper, Gary Belanger, James Christiansen, Lars Lachance, Joseph McLean, Mark Moore, Josh Notter, Jeanine Ohm, Bill Pellegrino, Anthony Peterson, Ken Ober, Russell Christie, Rick Sanborn, Laurie Scontsas, Lisa

Griffin, Barbara Boehm, Ralph Coffey, James Estevez, Eric Smith, Gregory Gould, Linda Hinch, Richard Rice, Kimberly LeBrun, Donald Murotake, David McCarthy, Peggy Pierce, David Rouillard, Claire Seidel, Carl Twombly, Timothy Zaricki, Nick

Balcom, John
Burt, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Haefner, Robert
Hogan, Edith
Kurk, Neal
McClarren, Donald
Murphy, Keith
Palmer, Barry
Proulx, Mark
Rowe, Robert
Simmons, Tammy
Ulery, Jordan

MERRIMACK

Brewster, Michael McGuire, Carol French, Harold Hess, David Horn, Werner Kotowski, Frank Martin, John Parent, Jason Long, Douglas Hill, Gregory Kuch, Bill Seaworth, Brian McGuire, Dan Hoell, J.R. Marple, Richard

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Rice, Frederick
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Griffin, Mary
McKinney, Betsy
O'Connor, John
Potucek, John
Tilton, Rio
True, Chris
Welch, David

Souza, Kathleen

Sullivan, Victoria

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Tucker, Pamela

Straight, Phillip

Wolf, Terry

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Elliott, Robert
Friel, William
Hagan, Joseph
Sweeney, Joe
Kolodziej, Walter
Manning, John
Milz, David
Packard, Sherman
Belanger, Ronald
Spillane, James
Vose, Michael
Woitkun, Steven

Azarian, Gary
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Ward, Joanne
Lundgren, David
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Gordon, Richard
Sytek, John
Webb, James

STRAFFORD

Beaudoin, Steven
Gray, James
Kaczynski, Thomas
Mullen, John
Bickford, David
Groen, Warren
Knowles, Robert
Pitre, Joseph

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua DeLemus, Susan Jones, Laura Leeman, Don Wuelper, Kurt

SULLIVAN

Grenier, James Rollins, Skip Smith, Steven

Weyler, Kenneth

NAYS - 133 CARROLL

Butler, Edward Parker, Harold Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul
Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys
Mann, John Parkhurst, Henry Pearson, William Robertson, Timothy
Sad. Tara Shepardson, Mariorie Weber, Lucy

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Higgins, Patricia Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Brown, Rebecca Sykes, George Townsend, Charles White, Andrew Smith, Suzanne

HILLSBOROUGH

Backus, Robert Baroody, Benjamin Beaulieu, Jane Booras, Efstathia Cornell, Patricia Sullivan, Daniel Cohen, Alan Cote, David DiSilvestro, Linda Freitas, Mary Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Marv Herbert, Christopher Jack, Martin Jeudy, Jean Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan Long, Patrick Rosenwald, Cindy Shattuck, Gilman Porter, Mariorie Walsh, Robert Takesian, Charlene Shaw, Barbara Soucy, Timothy Vann, Ivy Williams, Kermit Woodbury, David

MERRIMACK

Bartlett, Christy Bradley, Paula Alicea, Caroletta Turcotte, Alan Rice, Chip Carson, Clyde Doherty, David Gile, Mary Karrick, David Henle, Paul Hirsch, Geoffrey Frazer, June Moffett, Howard Patten, Dick Kenison, Linda MacKay, James Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cushing, Robert
DiFranco, Debbie Edgar, Michael Francese, Paula Ward, Gerald
Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Sherman, Thomas
Simpson, Alexis

STRAFFORD

Burton, Wayne Baber, William Berube, Roger Bixby, Peter Cilley, Jacalyn Gardner, Janice Horrigan, Timothy Ward, Kenneth Schmidt, Peter Rollo, Deanna Smith, Marjorie Kaen, Naida Treleaven, Susan Southworth, Thomas Spang, Judith Sprague, Dale Wall, Janet

SULLIVAN

Schmidt, Andrew Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

YEAS 205 NAYS 99

YEAS - 205 BELKNAP

Dumais, Russell Fields. Dennis Flanders, Donald Gallagher, Brian Russell, David Tilton, Franklin CARROLL Butler, Edward McCarthy, Frank Parker, Harold McConkey, Mark Schmidt, Stephen Ticehurst, Susan Umberger, Karen **CHESHIRE** Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Hunt, John Johnsen, Gladys Ley, Douglas Mann, John Pearson, William Sad, Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy COOS Fothergill, John Hatch, William Moynihan, Wayne Richardson, Herbert Theberge, Robert Tholi, John GRAFTON Abel. Richard Almy, Susan Cooney, Mary Darrow, Stephen Ford, Susan Hennessey, Erin Hennessey, Martha Higgins, Patricia Johnson, Eric Ladd, Rick Massimilla, Linda Smith, Suzanne Sykes, George White, Andrew HILLSBOROUGH Backus, Robert Balcom, John Baroody, Benjamin Barry, Richard

Beaulieu, Jane
Christensen, Chris
Cote, David
Gagne, Larry
Griffin, Barbara
Hinch, Richard
LeBrun, Donald
Manley, Jonathan
O'Brien, Michael
Porter, Marjorie
Rouillard, Claire
Shaw, Barbara
Soucy, Timothy
Vann, lyy

Balcom, John
Biggie, Barbara
Christiansen, Lars
Donovan, Daniel
Gidge, Kenneth
Haefner, Robert
Infantine, William
Leishman, Peter
Marston, Dick
Palmer, Barry
Proulx, Mark
Rowe, Robert
Smith, Gregory
Sullivan, Daniel
Walsh, Robert

Baroody, Benjami Brown, Pamela Cohen, Alan Edelblut, Frank Goley, Jeffrey Harvey, Suzanne Jack, Martin Long, Patrick McCarthy, Peggy Peterson, Ken Roberts, Carol Seidel, Carl Smith, Timothy Sullivan, Victoria Wolf, Terry Barry, Richard Byron, Frank Cornell, Patricia Freitas, Mary Gorman, Mary Heath, Mary Jeudy, Jean Mangipudi, Latha McNamara, Richard Pierce, David Rosenwald, Cindy Shattuck, Gilman Snow, Kendall Takesian, Charlene

MERRIMACK

Alicea, Caroletta Doherty, David Gile, Mary Karrick, David MacKay, James Rice, Chip Turcotte, Alan Bartlett, Christy Ebel, Karen Henle, Paul Kenison, Linda Martin, John Saunderson, George Wheeler, Deborah

Carson, Clyde Frazer, June Hess, David Kotowski, Frank Myler, Mel Schuett, Dianne Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Borden, David Chase, Francis DeSimone, Debra Ferrante, Beverly Azarian, Gary Cahill, Michael Christie, Andrew Devine, James Francese, Paula

Barnes, Arthur Cali-Pitts, Jacqueline Cook, Allen DiFranco, Debbie Friel, William Berrien, Skip Cardon, G. Thomas Cushing, Robert Doucette, Fred Gordon, Pamela

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Green, Dennis Hoelzel, Kathleen Matthews, Carolyn Nigrello, Robert Peckham, Michele Sweeney, Joe Webb, James	Griffin, Mary Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Potucek, John Sytek, John Welch, David	Harris, Jeffrey Kolodziej, Walter McKinney, Betsy Packard, Sherman Prudhomme-O'Brien, Katherine Ward, Gerald Weyler, Kenneth	Heffron, Frank Lovejoy, Patricia Milz, David Pantelakos, Laura Simpson, Alexis Ward, Joanne
	ST	RAFFORD	
Baber, William DiSesa, Len Schmidt, Peter Sprague, Dale	Bickford, David Gray, James Smith, Marjorie Stevens, Audrey	Bixby, Peter Horrigan, Timothy Southworth, Thomas Treleaven, Susan	Burton, Wayne Leeman, Don Spang, Judith Wall, Janet
	S	ULLIVAN	
Cloutier, John Irwin, Virginia Smith, Steven	Gagnon, Raymond Oxenham, Lee	Gottling, Suzanne Rollins, Skip	Grenier, James Schmidt, Andrew
	N	IAYS - 99	
	В	ELKNAP	
Aldrich, Gien LeBreche, Shari	Fraser, Valerie Spanos, Peter	Howard, Jr., Raymond Sylvia, Michael	Hurt, George Vadney, Herbert
	C	ARROLL	
Avellani, Lino Nelson, Bill	Buco, Thomas Wright, Ted	Comeau, Ed	Cordelli, Glenn
	C	HESHIRE	
McConnell, James	Robertson, Timothy		
		COOS	
Rideout, Leon	Thomas, Yvonne		
	G	RAFTON	
Bailey, Brad Maes, Kevin	Gionet, Edmond Townsend, Charles	Hull, Robert	Ingbretson, Paul
	HILL	SBOROUGH	
Adams, Christopher Burt, John Eastman, Eric Gould, Linda Hopper, Gary Murotake, David Parison, James Simmons, Tammy	Ammon, Keith Christie, Rick Edwards, Elizabeth Guerette, C. Lee Lachance, Joseph Murphy, Keith Pellegrino, Anthony Sweeney, Shawn	Belanger, James Coffey, James Estevez, Eric Hansen, Peter McLean, Mark Notter, Jeanine Rice, Kimberly Twombly, Timothy	Boehm, Ralph Danielson, David Ferreira, Elizabeth Hogan, Edith Moore, Josh Ohm, Bill Sanborn, Laurie Ulery, Jordan
	ME	CRRIMACK	
French, Harold Kuch, Bill	Hill, Gregory Long, Douglas	Hoell, J.R. Marple, Richard	Horn, Werner McGuire, Carol

French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

210 0-111 10 111 111			
Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Chirichiello, Brian	Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Osborne, Jason	Rice, Frederick	Schroadter, Adam	Spillane, James
Thomas, Douglas	Tilton, Rio	True, Chris	Vose, Michael

STRAFFORD

Beaudoin, Steven Hannon, Joseph Pitre, Joseph Cheney, Catherine Jones, Laura Turcotte, Leonard Graham, Robert Kaczynski, Jr., Thomas Wuelper, Kurt Groen, Warren Mullen, John

Tradipor, Ital

SULLIVAN

Converse, Larry

Laware, Thomas

and the majority committee report was adopted.

HB 1552-FN, extending the penalty of death to acts of terrorism and civil rights offenses. **INEX-PEDIENT TO LEGISLATE.**

Rep. Shawn Sweeney for Criminal Justice and Public Safety. This bill would grow NH's relatively narrow death penalty law to be one of the broadest in the country by adding an expansive definition of "weapon of mass destruction" to include nearly any weapon, device, or drug, and expanding the class of victims to include any person enjoying a right or privilege protected by the constitution (i.e. life.) Not recommending passage of this bill still leaves in place NH's death penalty statute for a list of heinous acts against vulnerable victims and law enforcement. Vote 11-4. Committee report adopted.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person. **OUGHT TO PASS WITH AMENDMENT**.

Rep. John Martin for Criminal Justice and Public Safety. This bill as amended establishes penalties for offenses involving shining a laser pointing device at an aircraft or vessel, or at another person. The committee heard testimony from an active multi-engine aircraft pilot who described the experience of being illuminated on landing approach and explained the even greater dangers from the potential blinding of a lone pilot in a multi-engine cargo plane, or even a smaller private aircraft. This is a dangerous practice that has even occurred in New Hampshire and the perpetrators are difficult to locate from a fast moving aircraft. Previously, the only recourse was to notify federal authorities who would not be in a position to respond quickly. The bill also exempts the legal use of lasers used in training classes, construction sites, medical personnel, and law enforcement. Vote 13-0.

Amendment (0252h)

Amend the bill by replacing section 1 with the following:

1 Assault and Related Offenses; Conduct Involving Laser Pointing Devices. Amend RSA 631:3-a to read as follows:

631:3-a Conduct Involving Laser Pointing Devices.

- I.(a) Any person who knowingly shines the beam of a laser pointing device at an occupied motor vehicle, vessel, or window, or at a person shall be guilty of a violation and the laser pointing device shall be seized and forfeited upon conviction.
- (b) Any person who knowing \bar{l}_y shines the beam of a laser pointing device at an occupied aircraft shall be guilty of a misdemeanor and the laser pointing device shall be seized and forfeited upon conviction.
- II. [Notwithstanding the provisions of paragraph I,] Any person who knowingly shines the beam of a laser pointing device at a law enforcement officer or law enforcement vehicle shall be guilty of a class A misdemeanor and the laser pointing device shall be seized and forfeited upon conviction.
- III. It shall be an affirmative defense under this section if the laser pointing device was used in an organized meeting or training class by the instructor or speaker. Nothing in this section shall be construed so as to limit the use of medical lasers by qualified medical personnel, or construction lasers used by construction personnel in the course of their work, or laser devices utilized by law enforcement personnel in the performance of their official duties.

AMENDED ANALYSIS

This bill establishes penalties for offenses involving shining a laser pointing device at an aircraft or vessel, or at another person.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1600-FN, prohibiting the possession of a flame thrower. INEXPEDIENT TO LEGISLATE. Rep. David Welch for Criminal Justice and Public Safety. This bill would prohibit the use or possession of a flame throwing device. The penalty for such action would be a class B misdemeanor. The only entity that could use or possess such a device would be a firefighter employed by a fire department or fire fighting agency of the federal, state or municipality. There have been no reported incidents in the State of NH involving flame throwing so the committee voted unanimously to ITL the bill. Vote 12-0. Rep. Burt requested a roll call; sufficiently seconded.

YEAS 294 NAYS 10

	Y	EAS - 294	
	В	ELKNAP	
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Russell, David Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael
	C	ARROLL	
Avellani, Lino Cordelli, Glenn Parker, Harold Wright, Ted	Buco, Thomas McCarthy, Frank Schmidt, Stephen	Butler, Edward McConkey, Mark Ticehurst, Susan	Comeau, Ed Nelson, Bill Umberger, Karen
	CI	HESHIRE	
Abbott, Michael Hunt, John McConnell, James Sad, Tara Weber, Lucy	Ames, Richard Johnsen, Gladys Pearson, William Shepardson, Marjorie	Berch, Paul Ley, Douglas Roberts, Kris Tatro, Bruce	Chase, Cynthia Mann, John Robertson, Timothy Tilton, Benjamin
,,		COOS	
Fothergill, John Theberge, Robert	Moynihan, Wayne Tholl, John	Richardson, Herbert Thomas, Yvonne	Rideout, Leon
	G	RAFTON	
Abel, Richard Darrow, Stephen Hennessey, Martha Johnson, Eric Smith, Suzanne	Almy, Susan Ford, Susan Higgins, Patricia Ladd, Rick Sykes, George	Bailey, Brad Gionet, Edmond Hull, Robert Maes, Kevin Townsend, Charles	Cooney, Mary Hennessey, Erin Ingbretson, Paul Massimilla, Linda White, Andrew
	HILL	SBOROUGH	
Adams, Christopher Baroody, Benjamin Biggie, Barbara Byron, Frank	Ammon, Keith Barry, Richard Boehm, Ralph Christensen, Chris	Backus, Robert Beaulieu, Jane Brown, Pamela Christiansen, Lars	Balcom, John Belanger, James Burt, John Christie, Rick
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Coffey, James Cohen, Alan Danielson, David Edwards, Elizabeth Estevez, Eric Gagne, Larry Gidge, Kenneth Gould, Linda Griffin, Barbara Hansen, Peter Hogan, Edith Hopper, Gary Jeudy, Jean Long, Patrick McLean, Mark Murphy, Keith Notter, Jeanine Palmer, Barry

Pierce, David

Donovan, Daniel Harvey, Suzanne Lachance, Joseph Mangipudi, Latha McNamara, Richard Parison, James Porter, Marjorie

Cornell, Patricia Eastman, Eric Ferreira, Elizabeth Goley, Jeffrev Guerette, C. Lee Heath, Mary Infantine, William LeBrun, Donald Marston, Dick Moore, Josh O'Brien, Michael Pellegrino, Anthony Proulx, Mark

Cote, David Edelblut, Frank Freitas, Mary Gorman, Mary Haefner, Robert Hinch, Richard Jack, Martin Leishman, Peter McCarthy, Peggy Murotake, David Ohm, Bill Peterson, Ken Roberts, Carol

Rosenwald, Cindy Seidel, Carl Smith, Gregory Sullivan, Daniel Twombly, Timothy Wolf, Terry Rouillard, Claire Shattuck, Gilman Smith, Timothy Sullivan, Victoria Ulery, Jordan

Rowe, Robert Shaw, Barbara Snow, Kendall Sweeney, Shawn Vann, Ivy Sanborn, Laurie Simmons, Tammy Soucy, Timothy Takesian, Charlene Walsh, Robert

MERRIMACK

Alicea, Caroletta Doherty, David French, Harold Hirsch, Geoffrey Kenison, Linda Luneau, David McGuire, Carol Saunderson, George Turcotte, Alan Bartlett, Christy Ebel, Karen Gile, Mary Hoell, J.R. Kotowski, Frank MacKay, James McGuire, Dan Schuett, Dianne Wheeler, Deborah Carson, Clyde Frazer, June Henle, Paul Horn, Werner Kuch, Bill Marple, Richard Myler, Mel Seaworth, Brian

Deloge, Helen French, Barbara Hill, Gregory Karrick, David Long, Douglas Martin, John Rice, Chip Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Barnes, Arthur Bush, Carol Chase, Francis Cushing, Robert Doucette, Fred Francese, Paula Green, Dennis Hoelzel, Kathleen Kolodziej, Walter McKinney, Betsy Osborne, Jason Potucek, John Simpson, Alexis Thomas, Douglas Ward, Joanne

Abramson, Max Bates, David Cahill, Michael Chirichiello, Brian DeSimone, Debra Duarte, Joe Friel, William Griffin, Mary Itse, Daniel Loveiov. Patricia Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Spillane, James Tilton, Rio Webb, James

Azarian, Garv Berrien, Skip Cali-Pitts, Jacqueline Christie, Andrew Devine, James Emerick, J. Tracy Gannon, William Harris, Jeffrey Kappler, Lawrence Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Rice, Frederick Sweeney, Joe True, Chris Welch, David

Baldasaro, Alfred Borden, David Cardon, G. Thomas Cook, Allen DiFranco, Debbie Ferrante, Beverly Gordon, Pamela Heffron, Frank Katsakiores, Phyllis McBeath, Rebecca O'Connor, John Peckham, Michele Schroadter, Adam Sytek, John Ward, Gerald Weyler, Kenneth

STRAFFORD

Baber, William Burton, Wayne Gray, James Kaczynski, Jr., Thomas Schmidt, Peter Sprague, Dale Wall, Janet Beaudoin, Steven Cheney, Catherine Groen, Warren Leeman, Don Smith, Marjorie Stevens, Audrey Wuelper, Kurt Bickford, David DiSesa, Len Hannon, Joseph Mullen, John Southworth, Thomas Treleaven, Susan

Bixby, Peter Graham, Robert Jones, Laura Pitre, Joseph Spang, Judith Turcotte, Leonard

SULLIVAN

Cloutier, John Grenier, James Rollins, Skip Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond Laware, Thomas Gottling, Suzanne Oxenham, Lee

NAYS - 10 CHESHIRE

Bordenet, John

COOS

Hatch, William

HILLSBOROUGH

Manley, Jonathan

MERRIMACK

Hess, David

Ratzki, Mario

ROCKINGHAM

Dean-Bailey, Yvonne

Hodgdon, Bruce

Vose, Michael

STRAFFORD

Horrigan, Timothy

SULLIVAN

Schmidt, Andrew

and the committee report was adopted.

HB 1626-FN, relative to drug take-back programs. OUGHT TO PASS WITH AMENDMENT. Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill expands the current drug take-back program offered in locations throughout the state. Currently a local, county, regional, state, or other governmental entity or a private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and non-controlled pharmaceutical take back program. This bill would allow such collection locations to add illicit drugs such as cocaine, heroin, and paraphernalia to the program. It also provides amnesty to individuals who voluntarily return unused drugs for collection. It allows collection centers to provide the individual returning the drugs an opportunity to speak with an employee, staff member, or volunteer who may aid them in finding suitable rehabilitation assistance. Vote 13-1.

Amendment (0221h)

Amend RSA 318-E:1, I as inserted by section 2 of the bill by replacing it with the following:

I. A local, county, regional, state, or other governmental entity or private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and non-controlled pharmaceutical [drug] and illicit drug and drug paraphernalia take-back program. For the purposes of this chapter, ["pharmaceutical drug'] "drug" means a prescription or overthe-counter drug, including, but not limited to, controlled drugs as defined in this chapter and any illicit drugs such as cocaine, heroin, and paraphernalia.

Amend RSA 318-E:1, VII and VIII as inserted by section 2 of the bill by replacing them with the following:

VII. Persons who return drugs or paraphernalia may be provided with the opportunity to speak with an employee, staff member, or volunteer who shall aid them in finding suitable rehabilitation assistance.

AMENDED ANALYSIS

This bill adds illicit drugs and drug paraphernalia to the drug take-back programs. Under this bill, the drug take-back program may have an on site employee, staff member, or volunteer to offer aid to persons returning the drugs in finding suitable rehabilitation assistance.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1632-FN, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill is trying to fix an issue which is already in law. Pursuant to RSA 159:7: "No person shall sell, deliver, or otherwise transfer a pistol, revolver or any other firearm, to a person who has been convicted, in any jurisdiction, of a felony. Whoever violates the provisions of this section shall be guilty of a class B felony." The majority of the committee feels current law is more than adequate. Vote 7-6.

Rep. Len DiSesa for the Minority of Criminal Justice and Public Safety. The minority of the committee believes that this is a reasonable bill. This bill does not impact anyone's right to possess a firearm as long as they are not prohibited from ownership according to RSA 159. What this bill does is ensure that in a private sale of a firearm, the person selling or giving the firearm could be liable to prosecution if he or she completes the transaction and has knowledge that the person buying the firearm is prohibited from owning it. This is a common sense application of gun safety that makes the community safer. It in no way interferes with anyone's second amendment right to own

a firearm, as long as that person is not prohibited from doing so by already-established law. It is not difficult in this age of easy internet information access to perform a cursory query on anyone. A firearm is not a benign piece of equipment, like a snow blower or an automobile. It has deadly force capabilities and its sale or transfer should have, at the very least, a baseline of information gathering by the seller to ensure that it will not be sold or given to a person who is prohibited from owning it. The minority of the committee strongly believes that this bill should pass.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 197 members having voted in the affirmative, and 106 in the negative, the majority committee report was adopted.

HB 1635-FN, relative to the theft of a firearm during a burglary. **INEXPEDIENT TO LEGISLATE.** Rep. Ed Comeau for Criminal Justice and Public Safety. This bill is relative to the penalty for theft of a firearm during a burglary. The bill attempts to make the penalty a class A felony under RSA 651:2, II-g. It is the committee's opinion that this would be duplicative, as RSA 637:11, I, (b) accomplishes the same, as such theft is already considered a class A felony under that statute. Vote 11-4. Committee report adopted.

HB 1657-FN, prohibiting firearms in certain public places. INEXPEDIENT TO LEGISLATE. Rep. John Burt for Criminal Justice and Public Safety. This bill sought to prohibit NH citizens from carrying a firearm in private businesses that provide medical services, pharmacies, convenience stores, box stores, other retailers and churches. This bill would subject NH citizens who accidentally go into one of these private businesses or churches with a firearm with being charged with a class B felony. Even if the owner of the private business or the preacher, reverend, etc. of a church had a firearm, they would be charged with a class B felony. It would force some major retailers to stop selling some of their products in NH. If you look line by line on the bill it would disarm the NH citizen throughout the state. The committee heard from only one supporter. We heard from many people who spoke against this bill. Not one private business or church spoke in favor of this bill. This bill will not serve private businesses, churches or NH citizens. Vote 11-2. Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 248 NAYS 55

YEAS - 248 BELKNAP

Aldrich, Glen Gallagher, Brian Russell, David	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael	Fraser, Valerie LeBreche, Shari Vadney, Herbert
	CA	RROLL	
Avellani, Lino Cordelli, Glenn Parker, Harold Wright, Ted	Buco, Thomas McCarthy, Frank Schmidt, Stephen	Butler, Edward McConkey, Mark Ticehurst, Susan	Comeau, Ed Nelson, Bill Umberger, Karen
• ,	СН	ESHIRE	
Abbott, Michael Ley, Douglas Roberts, Kris Weber, Lucy	Ames, Richard Mann, John Robertson, Timothy	Hunt, John McConnell, James Sad, Tara	Johnsen, Gladys Pearson, William Tilton, Benjamin
		COOS	
Fothergill, John Rideout, Leon	Hatch, William Theberge, Robert	Moynihan, Wayne Tholl, John	Richardson, Herbert Thomas, Yvonne
	GR	AFTON	
Almy, Susan Ford, Susan Ingbretson, Paul Massimilla, Linda	Bailey, Brad Gionet, Edmond Johnson, Eric White, Andrew	Cooney, Mary Hennessey, Erin Ladd, Rick	Darrow, Stephen Hull, Robert Maes, Kevin

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Biggie, Barbara Christensen, Chris Cohen, Alan Eastman, Eric Freitas, Mary Gorman, Mary Hansen, Peter Infantine, William LeBrun, Donald Marston, Dick Murotake, David Palmer, Barry Pierce, David Rowe, Robert Shaw, Barbara Snow, Kendall Twombly, Timothy

Ammon, Keith Barry, Richard Boehm, Ralph Christiansen, Lars Cornell. Patricia Edelblut, Frank Gagne, Larry Gould, Linda Hinch, Richard Jack, Martin Leishman, Peter McCarthy, Peggy Murphy, Keith Parison, James Proulx, Mark Sanborn, Laurie Simmons, Tammy Sullivan, Daniel Ulery, Jordan

Backus, Robert Beaulieu, Jane Bouldin, Amanda Christie, Rick Danielson, David Estevez, Eric Gidge, Kenneth Griffin, Barbara Hogan, Edith Jeudy, Jean Long, Patrick McNamara, Richard Notter, Jeanine Pellegrino, Anthony Rice, Kimberly Seidel, Carl Smith, Gregory Sullivan, Victoria Wolf, Terry

Balcom, John Belanger, James Burt, John Coffey, James Donovan, Daniel Ferreira, Elizabeth Goley, Jeffrey Guerette, C. Lee Hopper, Gary Lachance, Joseph Mangipudi, Latha Moore, Josh O'Brien, Michael Peterson, Ken Rouillard, Claire Shattuck, Gilman Smith, Timothy Sweeney, Shawn

MERRIMACK

Carson, Clyde Gile, Mary Hirsch, Geoffrey Kuch, Bill Marple, Richard Ratzki, Mario Turcotte, Alan

Deloge, Helen Henle, Paul Hoell, J.R. Long, Douglas Martin, John Rice, Chip Wheeler, Deborah French, Barbara Hess, David Horn, Werner Luneau, David McGuire, Carol Saunderson, George

French, Harold Hill, Gregory Kotowski, Frank MacKay, James McGuire, Dan Seaworth. Brian

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Chase, Francis
Cushing, Robert
Doucette, Fred
Francese, Paula
Griffin, Mary
Hoelzel, Kathleen
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Spillane, James
Tilton, Rio
Ward, Joanne

Abramson, Max
Bates, David
Chirichiello, Brian
Dean-Bailey, Yvonne
Duarte, Joe
Friel, William
Harris, Jeffrey
Itse, Daniel
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Rice, Frederick
Sweeney, Joe
True, Chris
Webb, James

Azarian, Gary
Bush, Carol
Christie, Andrew
DeSimone, Debra
Emerick, J. Tracy
Gannon, William
Heffron, Frank
Kappler, Lawrence
Matthews, Carolyn
O'Connor, John
Peckham, Michele
Schroadter, Adam
Sytek, John
Vose, Michael
Welch, David

Baldasaro, Alfred Cardon, G. Thomas Cook, Allen Devine, James Ferrante, Beverly Green, Dennis Hodgdon, Bruce Katsakiores, Phyllis McBeath, Rebecca Osborne, Jason Potucek, John Simpson, Alexis Thomas, Douglas Ward, Gerald Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Jr., Thomas Schmidt, Peter Treleaven, Susan Bixby, Peter Groen, Warren Leeman, Don Southworth, Thomas Turcotte, Leonard DiSesa, Len Hannon, Joseph Mullen, John Sprague, Dale Wall, Janet

Graham, Robert Jones, Laura Pitre, Joseph Stevens, Audrey Wuelper, Kurt

SULLIVAN

Cloutier, John Rollins, Skip Grenier, James Schmidt, Andrew Laware, Thomas Smith, Steven Oxenham, Lee

NAYS - 55 BELKNAP

Dumais, Russell

Tilton, Franklin

CHESHIRE

GRAFTON

Berch, Paul

Bordenet, John

Shepardson, Marjorie

Tatro, Bruce

Smith, Suzanne

Abel, Richard

Hennessey, Martha Townsend, Charles Higgins, Patricia

Sykes, George Tow

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HILLSBOROUGH

Brown, Pamela Haefner, Robert McLean, Mark Rosenwald, Cindy Byron, Frank Harvey, Suzanne Ohm, Bill Soucy, Timothy Cote, David Heath, Mary Porter, Marjorie Takesian, Charlene Edwards, Elizabeth Manley, Jonathan Roberts, Carol Vann, Ivy

Walsh, Robert

Alicea, Caroletta Bartlett, Christy
Frazer, June Karrick, David
Schuett, Dianne Shurtleff, Stephen

Doherty, David Kenison, Linda Ebel, Karen Myler, Mel

ROCKINGHAM

Berrien, Skip Nigrello. Robert Cahill, Michael DiFranco, Debbie

MERRIMACK

Gordon, Pamela

STRAFFORD

Baber, William Horrigan, Timothy Bickford, David Smith, Marjorie Burton, Wayne Spang, Judith Cheney, Catherine

SULLIVAN

Converse, Larry

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

and the committee report was adopted.

Rep. Cynthia Chase did not vote and notified the Clerk that she wished to be recorded against. Reps. Bickford and McLean voted Nay and intended to vote Yea.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation. OUGHT TO PASS WITH AMENDMENT.

Rep. Ralph Boehm for Education. This bill allows students who have completed their armed forces military boot camp to wear their dress uniform instead of the cap and gown at graduation. Some schools already allow this. These students finish high school early, join the military, complete basic training and then come back to graduate with their class. The amendment clarifies the bill by utilizing existing Pennsylvania Law. This act will be known as Brandon's Law. Vote 19-0.

Amendment (0613h)

Amend the bill by replacing all after the enacting clause with the following:

1 Title. This act shall be known as Brandon's Law.

2 New Subdivision; Military Uniforms. Amend RSA 189 by inserting after section 70 the following new subdivision:

Military Uniforms

189:71 Military Uniform. A student shall have the right to wear a dress uniform issued to the student by a branch of the United States armed forces while participating in the graduation ceremony for the student's high school if that student meets the following requirements:

I. The student has fulfilled all of the requirements for receiving a high school diploma in the state of New Hampshire and the school district and is otherwise eligible to participate in the graduation ceremony.

II. The student has completed basic training for and is an active member of a branch of the United States armed forces.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill provides that a student shall have the right to wear a dress uniform issued to the student by a branch of the United States armed forces while participating in the graduation ceremony for the student's high school if the student meets certain requirements.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Horn requested a roll call; not sufficiently seconded.

On a division vote, with 292 members having voted in the affirmative, and 12 in the negative, the committee report was adopted and ordered to third reading.

HB 1232, relative to visits to schools by non-academic government or private organizations. OUGHT TO PASS WITH AMENDMENT.

Rep. Victoria Sullivan for Education. This bill as amended requires parental notification prior to outside organizations addressing or interacting with students. It was made clear in the committee hearing that the public school system has become a gateway for non-academic entities to access children without parental notification. Furthermore, there have been situations where well intentioned organizations have been asked to address students without parental notification, which lead to misunderstandings and in some cases, great embarrassment to school districts. This simply re-enforces communication between parents and districts in order to alleviate such issues in the future. The NH School Board's Association supports HB 1232 as amended. Vote 13-5.

Amendment (0532h)

Amend RSA 186:11, IX-e as inserted by section 1 of the bill by replacing it with the following:

IX-e. Require school districts to adopt a policy governing visits to the school by a non-academic government or private organization that will address the student body or a portion thereof. The policy shall require school districts to notify a parent or legal guardian of such visits and their purpose. The school district shall publish the purpose of such visit at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to the organization's visit. The policy shall also allow a parent or legal guardian to opt their child out of any participation with the organization. In this paragraph, "non-academic government or private organization" means any organization that elicits, presents, or reveals information concerning a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1612-FN, relative to the age for purposes of compulsory education. INEXPEDIENT TO LEGISLATE.

Rep. Robert Elliott for Education. The State of New Hampshire has moved forward since raising compulsory education attendance to age 18 and believes there are many new and successful programs for those students 16 and over who do not do well with traditional curriculums. Career Technical Education (CTE), or trade schools as we once called them, are tremendously successful. We have a responsibility to provide an education at all levels of intellectual ability. Vote 16-4. Committee report adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1329, relative to prohibited sales of alcoholic beverages. OUGHT TO PASS WITH AMEND-MENT.

Rep. Rebecca McBeath for Commerce and Consumer Affairs. The original purpose of this bill to redefine the meaning of "intoxication," while the committee thought this was a substantive issue; the majority decided it would not pursue this matter at this time. However, the drafters of this bill did bring to the committee's attention two other issues that were ripe for addressing and were relative to the same statute. 1) An issue relative to the shipping companies for the direct shipping law and 2) when an administrative hearing is required of an licensee that the licensee should know what exactly they are being charged with violating. The amendment, which replaces the original bill, clarifies that the NH Liquor Commission shall notify licensed common carriers who bring alcohol into the State of NH (such as UPS and FedEx) on a monthly basis of the identity of unauthorized shippers. The licensed carrier shall not transport any liquor, wine, or beverage within a 90-day period once such notification

has been published. On the second issue, the Liquor Commission agreed to promulgate rules regarding the specificity of its charging documents under RSA 179:5 Prohibited Sales, to specifically identify the violation as either being because the individual served was "visibly intoxicated," OR the individual was "someone who a reasonable and prudent person would know is intoxicated." Vote 18-0.

Amendment (0848h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to transportation of alcoholic beverages.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Carrier Licenses. Amend RSA 178:14 by inserting after paragraph II the following new paragraph:

III. A licensed carrier shall not transport any liquor, wine, or beverage within a 90-day period that has been identified by the commission as originating from a person who does not hold a valid New Hampshire direct shipper permit, provided that such identification has first been provided to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days after such mailing. The commission may impose a fine by rule for violations within the reporting month per shipper.

2 Prohibited Sales. Amend RSA 179:5, I to read as follows:

I. No licensee, salesperson, direct shipper, common carrier, delivery agent, nor any other person, shall sell or give away or cause or allow or procure to be sold, delivered, or given away any liquor or beverage to a person under the age of 21 or serve an individual who is visibly intoxicated or who a reasonable and prudent person would know is intoxicated. For all deliveries of packages by common carrier or delivery agent marked "alcoholic beverages" or "alcoholic products," the carrier shall obtain an adult signature. [A licensed carrier shall not transport any liquor, wine, or beverage that has been identified by the commission as originating from a person who does not hold a valid New Hampshire direct shipper permit, provided that such identification has first been provided to and received by the licensed carrier in writing. The commission shall notify carriers by mail on a monthly basis of the identity of unauthorized shippers, which notification shall be effective 15 days after such mailing.]

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill revises provisions relating to prohibited transportation of alcoholic beverages. Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1311, relative to solitary confinement. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill does not address issues or conditions that arise in New Hampshire state or county prisons. The anecdotal evidence presented in testimony to the committee referred to practices in other states. Solitary confinement, as described in the bill, is not a condition of confinement used by the New Hampshire Department of Corrections or the various counties. This bill is a solution searching for a problem that does not exist in NH prisons or in complaints from inmates. Vote 8-3. Committee report adopted.

Committee report adopted.

HB 1466, relative to labeling requirements for certain homestead food operations. INEXPEDIENT TO LEGISLATE.

Rep. Christy Bartlett for Environment and Agriculture. This bill would no longer require that homestead food producers attach labels to their products. This includes the homestead food producers who are not subject to inspection by the Department of Health and Human Services and are unlicensed. The bill would have allowed a producer to use a sign and business card to identify the ingredients and producer information for these products at point of sale. The majority of the committee felt that the minimal requirement of having a label that listed the ingredients was not a burden and we heard no testimony from any producer who felt this caused a hardship. Many people have allergies and must be aware of what they eat. Some foods, such as jams and jellies, might be given as a gift and the end user might not be able to obtain information about the ingredients. From a food safety standpoint, it could be very difficult to track a product that did not contain identifying information in the event of a contamination event. For these and other reasons, the committee does not recommend this bill. Vote 15-1. Committee report adopted.

HB 1370, relative to termination of tenancy. OUGHT TO PASS WITH AMENDMENT.

Rep. Timothy Horrigan for Judiciary. This bill, as amended, represents a compromise between landlord and tenant advocates. Landlords would benefit because 7-day evictions could be carried out when tenants fail to establish utility service, or when unauthorized persons stay on the premises for extended periods. Tenants would benefit because evictions (either 7-day or 30-day) would require a writ of summons, which must be filed in the district court for the municipality where the property is located. Vote 10-1.

Amendment (0433h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

- 3 Actions Against Tenants; Venue. Amend RSA 540:13, I to read as follows:
- I. A writ of summons [may] shall be issued, returnable before [a] the district court with jurisdiction over the city or town where the property is located, setting forth in substance that the plaintiff is entitled to the possession of the demanded premises, and that the defendant is in possession thereof without right, after notice in writing, to quit the same at a day named therein. Committee amendment adopted.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1422-FN, creating an exemption from the business profits tax for new businesses in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. Gary Azarian for Ways and Means. This bill proposes an exemption from the Business Profits Tax only for new businesses locating in the state that can show they are employing at least four persons. This legislation establishes no controls over how many times a business entity may apply for the exemption. It creates unrealistic parameters by which an entity could qualify for the exemption. It establishes that the new business employ NH residents, demonstrate good corporate citizenship, and partner with local colleges or universities to offer internships, but provides no clear guidance on how that would be administered or audited. Vote 19-0. Committee report adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider it action whereby, on a voice vote, the House adopted the committee report of Ought to Pass with Amendment on **HB 2016**, relative to the state 10-year transportation improvement program.

Rep. Hinch spoke against. Rep. Goley spoke in favor.

Rep. Victoria Sullivan requested a roll call; sufficiently seconded.

YEAS 130 NAYS 175

YEAS - 130 CARROLL

	C	ARROLL	
Buco, Thomas	Butler, Edward	Ticehurst, Susan	
	C	HESHIRE	
Ames, Richard Johnsen, Gladys Robertson, Timothy Weber, Lucy	Berch, Paul Ley, Douglas Sad, Tara	Bordenet, John Mann, John Shepardson, Marjorie	Chase, Cynthia Pearson, William Tatro, Bruce
		COOS	
Hatch, William	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
	G	RAFTON	
Abel, Richard Gionet, Edmond Massimilla, Linda White, Andrew	Almy, Susan Hennessey, Martha Smith, Suzanne	Cooney, Mary Higgins, Patricia Sykes, George	Ford, Susan Maes, Kevin Townsend, Charles

HILLSBOROUGH

	HILLSE	OROUGH		
Backus, Robert Cohen, Alan Edwards, Elizabeth Gorman, Mary Jack, Martin Leishman, Peter McNamara, Richard Porter, Marjorie Shattuck, Gilman Soucy, Timothy	Baroody, Benjamin Cornell, Patricia Freitas, Mary Guerette, C. Lee Jeudy, Jean Long, Patrick Murotake, David Roberts, Carol Shaw, Barbara Sullivan, Daniel	Beaulieu, Jane Cote, David Gidge, Kenneth Harvey, Suzanne Lachance, Joseph Mangipudi, Latha O'Brien, Michael Rosenwald, Cindy Smith, Timothy Vann, Ivy	Brown, Pamela Eastman, Eric Goley, Jeffrey Heath, Mary LeBrun, Donald Manley, Jonathan Pierce, David Seidel, Carl Snow, Kendall Walsh, Robert	
	MERI	RIMACK		
Alicea, Caroletta Doherty, David Gile, Mary Kenison, Linda Ratzki, Mario Shurtleff, Stephen	Bartlett, Christy Ebel, Karen Henle, Paul Luneau, David Rice, Chip Turcotte, Alan	Carson, Clyde Frazer, June Hirsch, Geoffrey MacKay, James Saunderson, George Wheeler, Deborah	Deloge, Helen French, Barbara Karrick, David Myler, Mel Schuett, Dianne	
	ROCK	INGHAM		
Barnes, Arthur Cushing, Robert Heffron, Frank Ward, Gerald	Berrien, Skip DiFranco, Debbie Lovejoy, Patricia	Borden, David Francese, Paula McBeath, Rebecca	Cahill, Michael Gordon, Pamela Simpson, Alexis	
	STRA	FFORD		
Baber, William Hannon, Joseph Southworth, Thomas Treleaven, Susan	Bixby, Peter Horrigan, Timothy Spang, Judith Wall, Janet	Burton, Wayne Schmidt, Peter Sprague, Dale	DiSesa, Len Smith, Marjorie Stevens, Audrey	
	SUL	LIVAN		
Cloutier, John Irwin, Virginia	Converse, Larry Oxenham, Lee	Gagnon, Raymond Schmidt, Andrew	Gottling, Suzanne	
	NAY	'S - 175		
	BEL	KNAP		
Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Russell, David Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael	
	CAR	RROLL		
Avellani, Lino McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill Wright, Ted	Cordelli, Glenn Parker, Harold	McCarthy, Frank Schmidt, Stephen	
	СНЕ	SHIRE		
Abbott, Michael Tilton, Benjamin	Hunt, John	McConnell, James	Roberts, Kris	
		oos		
Fothergill, John	Richardson, Herbert	Rideout, Leon	Thoil, John	
GRAFTON				
Bailey, Brad Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Hennessey, Erin Ladd, Rick	Hull, Robert	

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Barry, Richard Belanger, James Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Christiansen, Lars Christie, Rick Coffey, James Danielson, David Donovan, Daniel Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Gagne, Larry Gould, Linda Griffin, Barbara Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Infantine, William Marston, Dick McCarthy, Peggy McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Ohm, Bill Palmer, Barry Parison, James Pellegrino, Anthony Peterson, Ken Proulx, Mark Rice, Kimberly Rouillard, Claire Rowe, Robert Sanborn, Laurie Schleien, Eric Simmons, Tammy Smith, Gregory Sullivan, Victoria Sweeney, Shawn Twombly, Timothy Takesian, Charlene Ulery, Jordan Wolf, Terry

MERRIMACK

French, Harold Hess, David Hill, Gregory Hoell, J.R.
Horn, Werner Kotowski, Frank Kuch, Bill Long, Douglas
Marple, Richard Martin, John McGuire, Carol McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick Abramson, Max Azarian, Gary Baldasaro, Alfred Bush, Carol Cardon, G. Thomas Chase, Francis Bates, David Cook, Allen Dean-Bailey, Yvonne Chirichiello, Brian Christie, Andrew Doucette, Fred Duarte, Joe DeSimone, Debra Devine, James Friel, William Gannon, William Emerick, J. Tracy Ferrante, Beverly Green, Dennis Griffin, Mary Harris, Jeffrey Hodgdon, Bruce Kappler, Lawrence Katsakiores, Phyllis Hoelzel, Kathleen Itse, Daniel McKinney, Betsy Milz. David Kolodziei, Walter Matthews, Carolyn O'Connor, John Osborne, Jason Packard, Sherman Nigrello, Robert Pantelakos, Laura Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Tilton, Rio True, Chris Svtek, John Thomas, Douglas Vose, Michael Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Bickford, David Cheney, Catherine Graham, Robert Gray, James Groen, Warren Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Mullen, John Pitre, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1250, relative to medical neglect of children. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Daniel Itse for the Majority of Children and Family Law. This bill ensures that parents who have

taken their child to the doctor and are following a prescribed treatment are not accused of medical neglect, even if the state identifies and orders an alternative treatment. It does not affect the existing religious exemption, nor does it change the status of parents who do not seek counsel. Vote 7-6. Rep. Skip Berrien for the Minority of Children and Family Law. This bill, intended to prevent unwarranted allegations of medical neglect, is based on a single unfortunate incident in a neighboring state. Although the bill was appropriately created, it raised complex issues of unintended consequences which could not be resolved.

Majority Amendment (0797h)

Amend RSA 169-C:31-a as inserted by section 1 of the bill by replacing it with the following:

169-C:31-a Medical Neglect. No parent or legal guardian shall be petitioned or charged with abusing or neglecting a child's need for medical care if:

- I. The parent or legal guardian has sought medical care for the presenting medical condition of the child from a licensed health care professional;
 - II. The licensed health care professional has made a diagnosis;
- III. The licensed health care professional has prescribed a generally accepted course of standard treatment; and
 - IV. The parent or legal guardian is following the recommended course of treatment.

AMENDED ANALYSIS

This bill provides that a parent or legal guardian shall not be petitioned or charged with abuse or neglect of a child's need for medical care if the parent or guardian follows a recommended course of treatment from a licensed health care professional.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Valerie Fraser offered floor amendment (0971h).

Floor Amendment (0971h)

Amend the bill by replacing section 1 with the following:

1 New Section; Child Protection Act; Reporting Law; Medical Neglect. Amend RSA 169-C by inserting after section 31 the following new section:

169-C:31-a Medical Neglect.

- I. No parent or legal guardian of a minor child shall be petitioned or charged with abusing or neglecting a child's need for medical care if:
- (a) The parent or legal guardian has sought medical care for the presenting medical condition of the child from a licensed or certified health care professional;
 - (b) The health care professional has made a diagnosis, if known; and
- (c) The parent or legal guardian has given informed consent as described in paragraph II and is following the recommended course of treatment.
- II. In order to obtain the parent or guardian's informed consent, the health care professional shall disclose all risks and benefits that might affect the minor child's treatment decisions, which shall include, but are not limited to:
 - (a) The condition being treated.
 - (b) The nature and purpose of the proposed treatment or surgical procedure.
 - (c) The risks and benefits of proposed treatment or procedures.
 - (d) The anticipated results.
- (e) The risk and benefits of possible alternative forms of treatment, regardless of cost or extent of insurance coverage.
- (f) Recognized serious possible risks, complications, and anticipated benefits involved in the treatment or surgical procedure.
 - (g) Risks and benefits of not receiving treatments or undergoing procedures.
 - (h) Any personal or economic interests that may influence his or her judgment.
 - (i) All diagnostic tests that may rule out a possible condition.
 - III. Informed consent shall be provided in writing, on a form that contains the following information:
 - (a) The name and signature of the minor child's parent or legal guardian.
 - (b) The name of the hospital.
 - (c) The name of the procedure.
 - (d) The name of all practitioners performing the procedure and any significant individual tasks.
 - (e) The risks.
 - (f) The benefits.
 - (g) Alternative procedures and treatments and their risks.
 - (h) The date and time consent is obtained.
 - (i) A statement that the procedure was explained to the child's parent or legal guardian.
 - (j) The signature of the person witnessing the consent.

(k) The name and signature of health care professional who explained the procedure to the child's parent or legal guardian.

AMENDED ANALYSIS

This bill provides that a parent or legal guardian shall not be petitioned or charged with abuse or neglect if the parent or guardian is following the recommended course of treatment of a health care professional. The bill requires the parent or guardian to give informed consent for such treatment and defines informed consent in such cases.

Rep. Valerie Fraser spoke in favor.

Rep. Berrien spoke against.

On a division vote, with 131 members having voted in the affirmative, and 165 in the negative, floor amendment (0971h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Berrien spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

YEAS 155 NAYS 146

YEAS - 155

	**	2110 - 100	
	Bl	ELKNAP	
Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
	CA	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark Wright, Ted	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
	CH	IESHIRE	
Hunt, John	McConnell, James		
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	

Richardson, Herbert	Rideout, Leon	Tholi, Johi

GRAFTON

Bailey, Brad	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Gagne, Larry	Gidge, Kenneth	Haefner, Robert
Hinch, Richard	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	McCarthy, Peggy	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Wolf, Terry

MERRIMACK

French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Barnes, Arthur
Bates, David	Bush, Carol	Chase, Francis	Chirichiello, Brian
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Friel, William	Gannon, William
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
		McKinney, Betsy	
Kolodziej, Walter	Matthews, Carolyn		Nigrello, Robert
O'Connor, John	Osborne, Jason	Packard, Sherman	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	•	Schroadter, Adam
Spillane, James	Sytek, John	Thomas, Douglas	Tilton, Rio
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth		
	STRA	FFORD	
Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt	Wallott, COTH)	1 100, 000cp11
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O		LIVAN	Onelite Otassan
Converse, Larry	Laware, Thomas	Rollins, Skip	Smith, Steven
	NAY	IS - 146	
	BEI	KNAP	
Flanders, Donald	Tilton, Franklin		
	CAL	RROLL	
Buco, Thomas	Butler, Edward	Parker, Harold	Ticehurst, Susan
buco, momas	Duller, Euwaru	raikei, naiolu	ricentrist, Susan
	CHE	SHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Johnsen, Gladys	Ley, Douglas	Mann, John
Pearson, William	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy
	C	oos	•
Eatheraill John			Theheure Deheat
Fothergill, John Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Theberge, Robert
momas, rvomis	GRA	AFTON	
Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew	Officer, Odzarino	cyncs, acorgo
rominoria, oriando	TTINO, FUIDION		
	HILLSE	BOROUGH	
Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Cornell, Patricia	Cote, David	Danielson, David	Ferreira, Elizabeth
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Infantine, William	Jack, Martin	Jeudy, Jean
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	McNamara, Richard	O'Brien, Michael	Palmer, Barry
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert		with a second second	
Walsh, nobert			

MERRIMACK

Bartlett, Christy Carson, Clyde Deloge, Helen Alicea, Caroletta Doherty, David Frazer, June French, Barbara Ebel. Karen Henle, Paul Hess. David Hirsch, Geoffrey Gile, Mary Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Myler, Mel Ratzki, Mario Rice, Chip Saunderson, George Schuett, Dianne Shurtleff, Stephen Turcotte, Alan Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cardon, G. Thomas Christie, Andrew Cushing, Robert DiFranco, Debbie Emerick, J. Tracv Ferrante, Beverly Francese, Paula Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca Milz. David Pantelakos, Laura Simpson, Alexis Ward, Gerald Sweeney, Joe

STRAFFORD

 Baber, William
 Bixby, Peter
 Burton, Wayne
 DiSesa, Len

 Horrigan, Timothy
 Schmidt, Peter
 Smith, Marjorie
 Southworth, Thomas

 Spang, Judith
 Sprague, Dale
 Stevens, Audrey
 Treleaven, Susan

 Wall. Janet

SULLIVAN

Cloutier, John Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Oxenham, Lee Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 1471, relative to parental rights. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Daniel Itse for the Majority of Children and Family Law. This bill recognizes in statute the parental rights that the state supreme court acknowledges are implicit in Part I, Article 2 of our state constitution. This is a statutory implementation of the constitution that is necessary to make it effective. Vote 8-5.

Rep. Skip Berrien for the Minority of Children and Family Law. This bill, asserting the natural rights of parents over their children, presents unintentional consequences regarding the rights of parents and the best interest's standard for children. RSA 461-A establishes the best interest standard in parental rights and responsibility divorce court orders when parents cannot agree. This bill will cause confusion at the expense of children. This erodes protections (RSA 173-B) for victims and children in domestic violence. Protection of children in abuse and neglect proceedings (RSA 169-C) would be jeopardized by this bill. The United States and New Hampshire Supreme Courts have consistently recognized the natural rights of fit parents. This bill is not necessary and threatens the best interest of children.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Berrien spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

YEAS 163 NAYS 135

YEAS - 163 BELKNAP

Aldrich, GlenDumais, RussellFields, DennisFraser, ValerieGallagher, BrianHoward, Jr., RaymondHurt, GeorgeLeBreche, ShariRussell, DavidSpanos, PeterSylvia, MichaelVadney, Herbert

CARROLL

Avellani, Lino Comeau. Ed Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen Wright, Ted **CHESHIRE** Hunt, John McConnell, James COOS Richardson, Herbert Rideout, Leon Tholl, John GRAFTON Bailey, Brad Darrow, Stephen Hennessey, Erin Hull, Robert Ingbretson, Paul Johnson, Eric Ladd, Rick HILLSBOROUGH Adams, Christopher Ammon, Keith Balcom, John Barry, Richard Belanger, James Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Christiansen, Lars Christie, Rick Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Gagne, Larry Gould, Linda Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Lachance, Joseph Marston, Dick McCarthy, Peggy McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm. Bill Parison, James Pellegrino, Anthony Peterson, Ken Proulx, Mark Rice, Kimberly Rouillard, Claire Rowe, Robert Sanborn, Laurie Schleien, Eric Seidel, Carl Simmons, Tammy Smith, Gregory Sullivan, Victoria Sweeney, Shawn Twombly, Timothy Ulery, Jordan Wolf, Terry MERRIMACK French, Harold Hess. David Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian ROCKINGHAM

Abrami, Patrick Abramson, Max Baldasaro, Alfred Barnes, Arthur Bates, David Bush, Carol Chase, Francis Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James Doucette, Fred Duarte, Joe Emerick, J. Tracy Friel, William Gannon, William Green, Dennis Griffin, Mary Harris, Jeffrey Hodadon, Bruce Hoelzel, Kathleen Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Matthews, Carolyn McKinney, Betsy Milz, David Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Sytek, John Thomas, Douglas Tilton, Rio True, Chris Vose, Michael Webb, James Welch, David Wevler, Kenneth

STRAFFORD

Bickford, David Cheney, Catherine Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Leeman, Don Mullen, John Pitre, Joseph Wuelper, Kurt

SULLIVAN

Converse, Larry Laware, Thomas Rollins, Skip Smith, Steven

Beaudoin, Steven

Turcotte, Leonard

Kaczynski, Jr., Thomas

Gray, James

NAYS - 135 BELKNAP

Flanders, Donald

Tilton, Franklin

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Mariorie Ames, Richard Johnsen, Gladys Roberts, Kris Tatro, Bruce Berch, Paul Ley, Douglas Robertson, Timothy Tilton, Benjamin Bordenet, John Mann, John Sad, Tara Weber, Lucy

COOS

Fothergill, John

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard Gionet, Edmond Massimilla, Linda

White, Andrew

Almy, Susan Hennessey, Martha Smith, Suzanne Cooney, Mary Higgins, Patricia Sykes, George Ford, Susan Maes, Kevin Townsend, Charles

HILLSBOROUGH

Backus, Robert Cornell, Patricia Goley, Jeffrey Harvey, Suzanne

Harvey, Suzanne LeBrun, Donald Manley, Jonathan Pierce, David Shattuck, Gilman Soucy, Timothy Walsh, Robert Baroody, Benjamin Cote, David Gorman, Mary Heath, Mary Leishman, Peter McNamara, Richard Porter, Marjorie Shaw, Barbara Sullivan, Daniel Beaulieu, Jane Freitas, Mary Griffin, Barbara Jack, Martin Long, Patrick O'Brien, Michael Roberts, Carol Smith, Timothy Takesian, Charlene

Brown, Pamela Gidge, Kenneth Guerette, C. Lee Jeudy, Jean Mangipudi, Latha Palmer, Barry Rosenwald, Cindy Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Doherty, David Gile, Mary Kenison, Linda Myler, Mel Schuett, Dianne Bartlett, Christy Ebel, Karen Henle, Paul Kotowski, Frank Ratzki, Mario Shurtleff, Stephen Carson, Clyde Frazer, June Hirsch, Geoffrey Luneau, David Rice, Chip Turcotte, Alan

Deloge, Helen French, Barbara Karrick, David MacKay, James Saunderson, George Wheeler, Deborah

ROCKINGHAM

Azarian, Gary Cardon, G. Thomas Ferrante, Beverly Pantelakos, Laura Berrien, Skip Christie, Andrew Francese, Paula Simpson, Alexis Borden, David Cushing, Robert Heffron, Frank Ward, Gerald Cahill, Michael DiFranco, Debbie Lovejoy, Patricia Ward, Joanne

STRAFFORD

Baber, William Horrigan, Timothy Spang, Judith Wall, Janet Bixby, Peter Schmidt, Peter Sprague, Dale

Burton, Wayne Smith, Marjorie Stevens, Audrey DiSesa, Len Southworth, Thomas Treleaven, Susan

SULLIVAN

Cloutier, John Irwin, Virginia Gagnon, Raymond Oxenham, Lee Gottling, Suzanne Schmidt, Andrew Grenier, James

and the majority committee report was adopted and ordered to third reading.

HB 1139, establishing a committee to examine state protections from financial fraud. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Harold French for the Majority of Commerce and Consumer Affairs. After deliberations, the majority of the committee determined that creating an entire new state agency in the form of a financial services unit to investigate and prosecute financial crimes was a duplication of duties already performed by the Attorney General's office. Creating a legislative committee to study the feasibility is an unwise use of resources. Vote 12-8.

Rep. Kermit Williams for the Minority of Commerce and Consumer Affairs. This bill would create a study committee to look at specific solutions to avoid the problems seen in the aftermath of the Financial Resources Mortgage, Inc. (FRM) financial fraud case. Poor decisions made by state regulators and actions taken in the aftermath of the fraud made the impact on fraud victims much worse, launched a years-long series of investigations, and gave New Hampshire's financial regulation a black eye. The minority believes that studying how we should change the state's potential actions in the aftermath of a future financial fraud case – because one will happen sooner or later – is critical to protecting the reputation of New Hampshire as a good state in which to do business and invest your money. The minority also recognizes, as the rest of the legislature should, that as a part-time legislature with very limited staff, study committees are the main mechanism to vet solutions to complex problems and create appropriate legislation. Any issue that doesn't have a black and white answer deserves a study committee – that's how we work together to craft good legislation.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 194 members having voted in the affirmative, and 106 in the negative, the majority committee report was adopted.

HB 1348, repealing the exemption for certain transactions under the consumer protection act. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. The majority of the committee believes this bill is an ill-advised attempt to change an effective and well-designed system of protecting NH consumers that balances protections under laws governing individual highly regulated industries with those under the Consumer Protection Act (CPA). This bill proposed splitting regulation of our financial services industries, banks and credit unions, as well as insurance companies and securities firms, into two different systems by repealing CPA exemptions that have been in place since the act took effect in 1971. The basis for the current exemption is that these entities are highly regulated by other state and federal agencies, and subject to significant examination and oversight. If this bill were to pass, the state would treat banks, insurers and securities firms differently, depending on how they are chartered. For instance, NH based credit unions and banks that happen to hold a national charter would become subject to individual and class action lawsuits. Credit unions and banks that happen to be headquartered out of a nearby state, with a strong local presence in NH, would now fall under the CPA. Banks doing business here under a state charter would remain exempt from the act. Such an action would bifurcate NH's financial services industry, creating an uneven playing field. The legislature has always recognized the importance of maintaining an even playing field, allowing for a diverse and strong financial services community in the state. Some of the smallest local credit unions and local banks that hold national charters - would be exposed to the constant threat of costly and time-consuming lawsuits. The committee heard that this discriminatory approach to regulation would be unconstitutional under the Commerce Clause of the US Constitution. Under the Dodd-Frank Act of 2010, the state would undoubtedly be open to the expense of legal challenges for implementing financial laws that discriminate against institutions based on whether they are chartered by federal or state law. The Insurance Department testified that state insurance regulators have long coordinated their enforcement actions. New Hampshire officials have ordered companies to pay millions of dollars in restitution that the CPA allows, quickly and without the expense of the lengthy court battles that the bill would encourage. State insurance officials testified that they cannot imagine a single instance that would require this passage of this bill. The AG's office argued that the current law blocked it from joining a multi-state settlement against Standard and Poors (S&P). This testimony was countered by testimony from the Bureau of Securities Regulation. In addition, others testified that the AG could have participated in the settlement, and was not limited by the CPA exemption. Only 19 states took part in the S&P lawsuit, despite the fact that many of them have laws that would have allowed them to sign on. New Hampshire securities laws already provide avenues for the state to pursue for deceptive

and fraudulent actions. In fact, state securities regulators are now investigating S&P's behavior in the rating of mortgage-backed securities. The S&P situation is a single, isolated incident that has not yet played itself out. It's important to note that the current CPA exemption has not prevented the state from participating in several national settlements involving the financial services industry. If the claim is the AG was barred from participating because of this exemption, why was the state able to participate in similar national settlements? Dodd-Frank also gave state attorneys general the right to file consumer protection actions in federal court and seek hefty penalties of up to \$1 million a day. The AG has the ability to enforce federal consumer protection regulations and need only notify the Consumer Final Protection Bureau of its intent to do so. The AG can pursue these cases today, without any change in the law. The majority of the Commerce and Consumer Affairs Committee do not believe that the legislature should be changing a well-established and effective law in response to isolated situations like the one the AG described. To do so would discourage relocation and expansion of critical financial services here, at the risk of harming the state's overall business environment. Vote 10-9.

Rep. David Luneau for the Minority of Commerce and Consumer Affairs. When it comes to fraud, New Hampshire citizens have no right under the Consumer Protection Act (CPA) to take legal action against federally chartered financial institutions and insurance companies regulated by other states or the federal government. In fact, according to the Consumer Protection Bureau of the AG, the state even lost out in a \$20M settlement connected with inflated ratings of mortgage-backed securities that helped fuel the financial crisis. New Hampshire has some of the weakest laws in the country when it comes to fraud. This bill repeals the exemptions under the CPA for these products and services used by nearly everyone in the state, and allows citizens and the state to take legal action against these banks, securities firms and insurance companies when they commit fraud.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Jones requested a roll call; sufficiently seconded.

YEAS 184 NAYS 116

YEAS - 184 BELKNAP

Aldrich, Glen Fraser, Valerie LeBreche, Shari Tilton, Franklin	Dumais, Russell Gallagher, Brian Russell, David Vadney, Herbert	Fields, Dennis Howard, Jr., Raymond Spanos, Peter	Flanders, Donald Hurt, George Sylvia, Michael
, , , , , , , , , , , , , , , , , , , ,	•	ARROLL	
Avallani Lina		Cordelli, Glenn	McCarthy, Frank
Avellani, Lino McConkey, Mark	Comeau, Ed Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted	raikei, riaioid	Commut, Ctophen
	Cl	HESHIRE	
Bordenet, John Tilton, Benjamin	Hunt, John	McConnell, James	Roberts, Kris
		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John
	G	RAFTON	
Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
	HILL	SBOROUGH	
Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Gagne, Larry

	House Journa	L MARCH 10, 2016	
Gould, Linda	Griffin, Barbara	Haefner, Robert	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Jack, Martin
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Wolf, Terry		
	MEI	RRIMACK	
French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian			
	ROC	KINGHAM	
Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Bush, Carol	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Friel, William	Gannon, William
Green, Dennis	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Matthews, Carolyn	McKinney, Betsy	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Kath	erine Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Thomas, Douglas	Tilton, Rio	True, Chris	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
	STR	AFFORD	
Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Pitre, Joseph	Sprague, Dale	Turcotte, Leonard	Wuelper, Kurt
	SU	LLIVAN	
Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven
	NA	YS - 116	
	CA	DDOLL	

CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Chase, Cynthia Johnsen, Gladys Ley, Douglas Mann, John Pearson, William Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Weber, Lucy

COOS

Hatch, William Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Cooney, Mary Ford, Susan Hennessey, Martha Higgins, Patricia Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Cornell, Patricia	Cote, David	Edwards, Elizabeth	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Heath, Mary	Jeudy, Jean	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	

MERRIMACK

Bartlett, Christy	Carson, Clyde	Deloge, Helen
Ebel, Karen	Frazer, June	French, Barbara
Henle, Paul	Hirsch, Geoffrey	Karrick, David
Luneau, David	MacKay, James	Myler, Mel
Rice, Chip	Saunderson, George	Schuett, Dianne
Turcotte, Alan	Wheeler, Deborah	
	Ebel, Karen Henle, Paul Luneau, David Rice, Chip	Ebel, Karen Frazer, June Henle, Paul Hirsch, Geoffrey Luneau, David MacKay, James Rice, Chip Saunderson, George

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura	Simpson, Alexis
Ward, Gerald			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted.

HB 1608-FN, relative to uniform prior authorization forms. OUGHT TO PASS WITH AMENDMENT. Rep. Edward Butler for Commerce and Consumer Affairs. This bill requires that the Insurance Department create an acceptable uniform 2-page form that will be used by all health care providers when justifying medication orders to insurance carriers and pharmacy benefit managers. These documents are called prior authorization forms. Currently each health insurance company has its own prior authorization form which could be 1, 2 or even 4 pages and each form requests different information. A uniform process will streamline the administrative burden for health care providers. Several other states are already using uniform prior authorization forms. Managed care organizations are exempt from this bill since this process is regulated differently through the Department of Health and Human Services. Vote 16-2.

Amendment (0799h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Utilization Review; Prior Authorization Forms. Amend RSA 420-J:6 by inserting after paragraph VI the following new paragraph:

VII. All health insurers, health maintenance organizations, health services corporations, medical services corporations and preferred provider programs, including Medicaid managed care entities under RSA 126-A:5, XIX, shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form described in this paragraph.

(a) On or before March 1, 2017, the commissioner shall adopt rules, pursuant to RSA 541-A, specifying the contents of the uniform prior authorization form for prescription drug benefits, consistent with the requirements of this paragraph. In developing the form, the commissioner shall seek input from interested stakeholders, and shall consider standards established by the federal Centers for Medicare and Medicaid Services and any other national standards pertaining to prior authorization.

(b) The prior authorization form adopted under this paragraph shall:

(1) Not exceed 2 pages;

- (2) Be made available electronically; and
- (3) Be capable of being submitted electronically.
- (c) If an entity listed in this paragraph fails to use or accept the uniform prior authorization form, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.
- (d) Nothing in this paragraph shall prohibit use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form, provided that the form used is consistent with the rules developed under this paragraph.

(e) Nothing in this paragraph shall prohibit the use of prior authorization for prescription drug benefits.

2 New Section; Licensure of Medical Utilization Review Entities; Uniform Prior Authorization Forms for Prescription Drug Benefits. Amend RSA 420-E by inserting after section 4 the following new section:

420-E:4-a Uniform Prior Authorization Forms for Prescription Drug Benefits.

I. All licensees under this chapter shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form adopted by the commissioner under RSA 420-J:6, VII.

II. If a licensee fails to use or accept the uniform prior authorization form, or fails to respond within 2 business days after receiving a completed prior authorization request from a provider, the prior authorization request shall be deemed to have been granted.

III. Nothing in this section shall prohibit use of prior authorization methodology that utilizes an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system in lieu of a paper form, provided that the form used is consistent with the rules developed under RSA 420-J:6, VII.

IV. Nothing in this section shall prohibit the use of prior authorization for prescription drug benefits.

V. This section shall apply to RSA 420-J and shall not apply to the Medicaid managed care program under RSA 126-A:5, XIX.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires health insurers, health maintenance organizations, health services corporations, medical services corporations, preferred provider programs, and Medicaid managed care entities to use and accept only the uniform prior authorization forms developed by the commissioner of insurance in accordance with rules adopted pursuant to RSA 541-A.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Butler offered floor amendment (0917h).

Floor Amendment (0917h)

Amend the introductory paragraph of RSA 420-J:6, VII as inserted by section 1 of the bill by replacing it with the following:

VII. All health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs shall, when requiring prior authorization for a prescription drug, use and accept only the prior authorization form described in this paragraph.

AMENDED ANALYSIS

This bill requires health insurers, health maintenance organizations, health services corporations, medical services corporations, and preferred provider programs to use and accept only the uniform prior authorization forms developed by the commissioner of insurance in accordance with rules adopted pursuant to RSA 541-A.

Rep. Butler spoke in favor.

Floor amendment (0917h) adopted.

Committee report adopted and ordered to third reading.

HB 1697-FN, relative to the operation and insurance of transportation network companies. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Laurie Sanborn for the Majority of Commerce and Consumer Affairs. This is a pro-consumer and pro-business bill that will enable a new, emerging industry to flourish and offer more transportation choices to NH residents and visitors. As stated by several chambers of commerce throughout our state, this legislation creates a logical, fair, and efficient regulatory framework and avoids the potential for a confusing and inconsistent patchwork of regulations created by individual communities. Importantly, the bill clarifies three different tiers of insurance coverage for when a driver is using his or her personal vehicle, when the driver logs onto the Transportation Network Company's (TNC) digital network but is not engaged in a prearranged ride, and when the driver is engaged in a prearranged ride, to ensure there is no gap in coverage. The committee amendment reduces the minimum amount of liability insurance from \$1,000,000 to \$300,000, allows TNCs to accept cash as a form of payment, and allows non-electronic receipts in an effort to encourage new companies and new types ride sharing models to be created in our state. It also adds requirements to ensure that that the driver is notifying their insurance company and becomes aware of any lien holder requirements. Vote 15-2.

Rep. Christopher Herbert for the Minority of Commerce and Consumer Affairs. This bill does not pay for itself. There are 1,000 ride-sharing vehicles in NH already and unlike any other business under the jurisdiction of the Commerce Committee, this industry does not pay its way. Its' first year costs are over \$100,000 and annual costs are \$70-\$80,000 according to Department of Safety estimates, if they need to hire people. The minority would support Inexpedient to Legislate until a common sense, per driver fee can be imposed to pay the bills.

Majority Amendment (0876h)

Amend RSA 376-A:5 as inserted by section 1 of the bill by replacing it with the following:

376-A:5 Fare. On behalf of a TNC driver, a TNC may charge a fare for the services provided to riders; provided that, if a fare is collected from a rider, the TNC shall disclose to the rider the fare calculation method on its website or within the vehicle or the software application service. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the TNC driver's vehicle.

Amend RSA 376-A:7 as inserted by section 1 of the bill by replacing it with the following:

376-A:7 Receipt. Within a reasonable period of time following the completion of a trip, a TNC shall transmit an itemized receipt to the rider on behalf of the TNC driver.

Amend RSA 376-A:8, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Primary automobile liability insurance that provides at least \$300,000 for death, bodily injury, and property damage.

Amend RSA 376-A:8 as inserted by section 1 of the bill by inserting after paragraph IX the following new paragraph:

X. Every TNC driver shall contact the driver's personal vehicle insurer or insurance producer to advise the insurer or producer that the driver will be providing TNC services.

Amend RSA 376-A:9 as inserted by section 1 of the bill by replacing it with the following:

376-A:9 Disclosures. Every TNC shall disclose in writing to the TNC driver the following:

I. The insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network.

II. That the TNC driver's own motor vehicle insurance policy might not provide any coverage while the TNC driver is logged on to the TNC's digital network or is engaged in a prearranged ride, depending on its terms.

III. That the TNC driver shall contact the driver's personal vehicle insurer or insurance producer

to advise the insurer or producer that the driver will be providing TNC services.

IV. That if the personal vehicle that the TNC driver uses to provide TNC services has a lien against it, using the personal vehicle for TNC services without physical damage coverage may violate the terms of the contract with the lienholder.

V. That if a TNC's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the personal vehicle or jointly to the owner of the personal vehicle and the primary lienholder on the covered personal vehicle.

Amend RSA 376-A:16-376-A:19 as inserted by section 1 of the bill by replacing them with the following:

376-A:16 Discrimination Prohibited Accessibility.

I. The TNC shall adopt a policy of nondiscrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to riders and potential riders and notify TNC drivers of such policy.

II. TNC drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders on the basis of destination, race, color, national origin, religious belief' or affiliation, sex, disability, age, sexual orientation, or gender identity.

III. TNC drivers shall comply with all applicable laws relating to accommodation of service animals.

IV. No TNC shall impose additional charges for providing services to persons with physical disabilities because of such disabilities.

V. Every TNC shall provide riders an opportunity to indicate whether they require a wheelchair accessible vehicle. If a TNC cannot arrange a wheelchair accessible prearranged ride in any instance, it shall direct the rider to an alternate provider of wheelchair accessible service, if available.

376-A:17 Records Every TNC shall maintain the following customer records:

I. Individual trip records for at least one year from the date each trip was provided.

II. TNC driver records at least until the one year anniversary of the date on which a TNC driver's customer relationship with the TNC has ended.

376-A:18 Controlling Authority. Notwithstanding any other provision of law, TNCs and TNC drivers are governed exclusively by this chapter and any rules by the department of safety consistent with this chapter. No municipality or other local entity may impose a tax on, or require a license for, a TNC, a TNC driver, or a vehicle used by a TNC driver where such tax or licenses relates to providing prearranged rides, or subject a TNC to the municipality's or other local entity's rate, entry, operational, or other requirements.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horn spoke against.

Majority committee report adopted and ordered to third reading.

HB 1314, limiting the authority of state entities to regulate the sale, use, and possession of firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill prohibits a state university, institution, or any other entity funded in whole or in part by the State of New Hampshire from instituting a firearms policy unless specifically referenced in statute. This bill would force New Hampshire hospitals, mental health facilities, substance abuse and recovery programs, shelters, half-way houses, visitation centers, and institutions of higher education, among others, to allow firearms on their premises unless specifically prohibited by statute. This far-reaching legislation could have potentially dangerous unintended consequences, and the committee heard testimony in opposition from some of the facilities that would be impacted regarding public safety concerns. The committee also heard compelling testimony from the Attorney General's office regarding the difficult choice that hospitals and service agencies would have to make choosing between the safety of their staff and patients or state funding. Vote 9-4.

Rep. Comeau spoke against.

Rep. Cushing spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 179 NAYS 117

YEAS - 179 BELKNAP

Fields, Dennis Flanders, Donald Gallagher, Brian Russell, David

CARROLL

Butler, Edward McCarthy, Frank McConkey, Mark Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie Ames, Richard Johnsen, Gladys Roberts, Kris Tilton, Benjamin Berch, Paul Ley, Douglas Robertson, Timothy Weber, Lucy Bordenet, John Mann, John Sad, Tara

COOS

Fothergill, John Thomas, Yvonne Hatch, William

Moynihan, Wayne

Tholl, John

GRAFTON

Abel, Richard Ford, Susan Maes, Kevin Townsend, Charles Almy, Susan Hennessey, Martha Massimilla, Linda White, Andrew Bailey, Brad Higgins, Patricia Smith, Suzanne Cooney, Mary Ladd, Rick Sykes, George

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Cornell, Patricia
Edwards, Elizabeth
Goley, Jeffrey
Haefner, Robert
Jack, Martin
Long, Patrick
McNamara, Richard
Peterson, Ken
Rosenwald, Cindy
Shattuck, Gilman
Soucy, Timothy

Balcom, John Belanger, James Cote, David Freitas, Mary Gorman, Mary Heath, Mary Jeudy, Jean Mangipudi, Latha O'Brien, Michael Pierce, David Rouillard, Claire Shaw, Barbara Sullivan, Daniel Wolf, Terry Baroody, Benjamin Brown, Pamela Danielson, David Gagne, Larry Griffin, Barbara Hinch, Richard LeBrun, Donald Manley, Jonathan Palmer, Barry Porter, Marjorie Rowe, Robert Smith, Timothy Takesian, Charlene Barry, Richard Christensen, Chris Donovan, Daniel Gidge, Kenneth Guerette, C. Lee Infantine, William Leishman, Peter McCarthy, Peggy Pellegrino, Anthony Roberts, Carol Seidel, Carl Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Doherty, David Gile, Mary Karrick, David MacKay, James Saunderson, George Wheeler, Deborah

Walsh, Robert

Bartlett, Christy Ebel, Karen Henle, Paul Kenison, Linda Myler, Mel Schuett, Dianne Carson, Clyde Frazer, June Hess, David Kotowski, Frank Ratzki, Mario Shurtleff, Stephen

Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Rice, Chip Turcotte, Alan

ROCKINGHAM

Abrami, Patrick Borden, David DeSimone, Debra Francese, Paula Heffron, Frank Matthews, Carolyn Nigrello, Robert Rice, Frederick Ward, Joanne

Azarian, Gary Cahill, Michael Devine, James Friel, William Hoelzel, Kathleen McBeath, Rebecca O'Connor, John Simpson, Alexis Welch, David Barnes, Arthur Christie, Andrew DiFranco, Debbie Gordon, Pamela Katsakiores, Phyllis McKinney, Betsy Packard, Sherman Sytek, John Berrien, Skip Cushing, Robert Ferrante, Beverly Griffin, Mary Lovejoy, Patricia Milz, David Pantelakos, Laura Ward, Gerald

STRAFFORD

Baber, William DiSesa, Len Schmidt, Peter Sprague, Dale Bickford, David Gray, James Smith, Marjorie Stevens, Audrey Bixby, Peter Horrigan, Timothy Southworth, Thomas Treleaven, Susan

Burton, Wayne Mullen, John Spang, Judith Wall, Janet

SULLIVAN Cloutier, John Gagnon, Raymond Grenier, James Irwin, Virginia Oxenham, Lee Schmidt, Andrew NAYS - 117 BELKNAP Aldrich, Glen Dumais, Russell Fraser, Valerie Howard, Jr., Raymond Hurt, George LeBreche, Shari Spanos, Peter Sylvia, Michael Tilton, Franklin Vadney, Herbert CARROLL Avellani, Lino Buco, Thomas Comeau, Ed Cordelli, Glenn Nelson, Bill Parker, Harold Wright, Ted **CHESHIRE** Hunt, John McConnell, James COOS Rideout, Leon GRAFTON Darrow, Stephen Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric HILLSBOROUGH Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christiansen, Lars Christie, Rick Coffey, James Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Gould, Linda Hansen, Peter Hogan, Edith Hopper, Gary Lachance, Joseph Marston, Dick McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Parison, James Proulx, Mark Rice, Kimberly Sanborn, Laurie Schleien, Eric Simmons, Tammy Smith, Gregory Sullivan, Victoria Sweeney, Shawn Twombly, Timothy Ulery, Jordan MERRIMACK French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Long, Douglas Marple, Richard Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian ROCKINGHAM Abramson, Max Baldasaro, Alfred Bates, David Bush, Carol Cardon, G. Thomas Chase, Francis Cook, Allen Dean-Bailey, Yvonne Doucette, Fred Duarte, Joe Emerick, J. Tracy Gannon, William Green, Dennis Harris, Jeffrey Hodadon, Bruce Itse. Daniel Kappler, Lawrence Kolodziej, Walter Osborne, Jason Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Schroadter, Adam Spillane, James Sweeney, Joe Thomas, Douglas Tilton, Rio True, Chris Vose, Michael Weyler, Kenneth STRAFFORD Beaudoin, Steven Cheney, Catherine Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Pitre, Joseph Turcotte, Leonard Wuelper, Kurt **SULLIVAN**

Converse, Larry

Laware, Thomas

and the committee report was adopted.

Rollins, Skip

Smith, Steven

HB 1400, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. David Welch for the Majority of Criminal Justice and Public Safety. This bill removes the term "suitable person" from the licensing statute for a concealed weapons license. The Department of Safety objects to the change which substitutes the phrase "unless the applicant is prohibited by New Hampshire statute from both owning and possessing a firearm." This change makes it impossible for a police chief to deny an applicant who may own a firearm but because of that individual's drinking problem might not be suitable to carry a firearm concealed. If this language is adopted and a NH statute prohibited someone from possessing a firearm but did not prohibit the person from owning a firearm, the license would have to be issued because it states "owning and possessing." The current language of "suitable person" makes sense because it is difficult to imagine all the possible conditions that may make the applicant an unsuitable person. A person may have a past history of displaying a hair trigger temper or little self-control. He may have demonstrated other traits that would make a reasonable person doubt the applicant's ability to safely handle a firearm. There have been relatively few denials over the years and even fewer problems with those who currently possess a license to carry a concealed, loaded firearm. Vote 13-3.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill removes the term "suitable person" for the purpose of obtaining a license to carry a firearm and it extends the term of the license from four to five years. The existing statute requires a selectman of a town, mayor, chief of police, full time police officer or sheriff to evaluate individuals who have submitted a license application. They are asked to use the undefined term: "and the applicant is a suitable person to be licensed." The minority argues that this term is too broad and gives no assistance to the issuer. This bill strikes that nebulous term and replaces it with the clear language of "unless the applicant is prohibited by New Hampshire statute from both owning and possessing a firearm." The minority believes this change will better assist the issuer as to what parameter should be used during evaluation and issuance.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Hoell spoke against.

Rep. Welch spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 173 NAYS 123

YEAS - 173 BELKNAP

Fields, Dennis Spanos, Peter	Flanders, Donald Tilton, Franklin	Gallagher, Brian	Hurt, George
	C	ARROLL	
Butler, Edward Umberger, Karen	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Pearson, William Shepardson, Marjorie	Ames, Richard Johnsen, Gladys Roberts, Kris Tatro, Bruce	Berch, Paul Ley, Douglas Robertson, Timothy Tilton, Benjamin	Bordenet, John Mann, John Sad, Tara Weber, Lucy
		COOS	
Fothergill, John Thomas, Yvonne	Hatch, William	Moynihan, Wayne	Tholl, John
	G	FRAFTON	
Abel, Richard Hennessey, Erin Maes, Kevin Townsend, Charles	Almy, Susan Hennessey, Martha Massimilla, Linda	Cooney, Mary Higgins, Patricia Smith, Suzanne	Ford, Susan Ladd, Rick Sykes, George

HILLSBOROUGH

Backus, Robert Balcot
Beaulieu, Jane Belai
Christiansen, Lars Corn
Freitas, Mary Gidg
Hansen, Peter Heati
Jack, Martin Jeud
Mangipudi, Latha Manl
Palmer, Barry Pelle
Porter, Marjorie Robe
Shattuck, Gilman Shaw
Soucy, Timothy Sulliv
Walsh, Robert Wolf,

Balcom, John Belanger, James Cornell, Patricia Gidge, Kenneth Heath, Mary Jeudy, Jean Manley, Jonathan Pellegrino, Anthony Roberts, Carol Shaw, Barbara Sullivan, Daniel Wolf, Terry

Baroody, Benjamin Brown, Pamela Cote, David Guerette, C. Lee Hinch, Richard LeBrun, Donald McNamara, Richard Peterson, Ken Rosenwald, Cindy Smith, Timothy Takesian, Charlene Barry, Richard Christensen, Chris Donovan, Daniel Haefner, Robert Hopper, Gary Leishman, Peter O'Brien, Michael Pierce, David Rowe, Robert Snow, Kendall Vann, Ivy

MERRIMACK

Alicea, Caroletta Doherty, David Gile, Mary Karrick, David MacKay, James Saunderson, George Bartlett, Christy Ebel, Karen Henle, Paul Kenison, Linda Myler, Mel Schuett, Dianne Carson, Clyde Frazer, June Hess, David Kotowski, Frank Ratzki, Mario Shurtleff, Stephen

Deloge, Helen French, Barbara Hirsch, Geoffrey Luneau, David Rice, Chip Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Borden, David Cushing, Robert Doucette, Fred Gordon, Pamela Katsakiores, Phyllis McBeath, Rebecca Packard, Sherman Sytek, John Weyler, Kenneth Azarian, Gary Bush, Carol DeSimone, Debra Ferrante, Beverly Griffin, Mary Kolodziej, Walter Milz, David Pantelakos, Laura Thomas, Douglas Barnes, Arthur Cahill, Michael Devine, James Francese, Paula Heffron, Frank Lovejoy, Patricia Nigrello, Robert Peckham, Michele Ward, Gerald

Berrien, Skip Christie, Andrew DiFranco, Debbie Friel, William Hoelzel, Kathleen Matthews, Carolyn O'Connor, John Simpson, Alexis Welch, David

STRAFFORD

Baber, William Gray, James Southworth, Thomas Treleaven, Susan Bixby, Peter Horrigan, Timothy Spang, Judith Wall, Janet Burton, Wayne Schmidt, Peter Sprague, Dale DiSesa, Len Smith, Marjorie Stevens, Audrey

SULLIVAN

Gagnon, Raymond Oxenham, Lee Gottling, Suzanne Schmidt, Andrew Grenier, James Smith, Steven

Irwin, Virginia

NAYS - 123 BELKNAP

CARROLL

Aldrich, Glen LeBreche, Shari Dumais, Russell Sylvia, Michael

Fraser, Valerie Vadney, Herbert Howard, Jr., Raymond

Avellani, Lino Bud McCarthy, Frank McC

Buco, Thomas McConkey, Mark

Comeau, Ed Nelson, Bill Cordelli, Glenn Wright, Ted

CHESHIRE

Hunt, John McConnell, James

COOS

Rideout, Leon

CRAFTON

	GRA	FTON	
Bailey, Brad Ingbretson, Paul	Darrow, Stephen Johnson, Eric	Gionet, Edmond White, Andrew	Hull, Robert
	HILLSB	OROUGH	
Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Burt, John	Byron, Frank	Christie, Rick	Coffey, James
Danielson, David	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Gagne, Larry	Goley, Jeffrey
Gorman, Mary	Gould, Linda	Griffin, Barbara	Hogan, Edith
Infantine, William	Lachance, Joseph	Marston, Dick	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	
	MERF	RIMACK	
French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Turcotte, Alan
	ROCK	INGHAM	
Abramson, Max	Baldasaro, Alfred	Bates, David	Cardon, G. Thomas
Chase, Francis	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Emerick, J. Tracy	Gannon, William	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sweeney, Joe	Tilton, Rio	True, Chris
Vose, Michael	Ward, Joanne		
	STRA	FFORD	
Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Leeman Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Wuelner Kurt			

SULLIVAN

Rollins, Skip Laware, Thomas Cloutier, John Converse, Larry and the majority committee report was adopted.

HB 1546-FN, permitting the audio recording of a public servant performing a public function. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill as amended will allow New Hampshire to become a one-party consent state to record oral communications between two people. Currently there are 39 states that allow one-party consent to record oral communications between two people. We also heard that under Glik v. Cunniffe, 655 F.3d 78 (1st Cir. 2011) the United States Court of Appeals for the First Circuit held that a private citizen has the right to record video and audio of public officials in a public place, and that the arrest of the citizen for a wiretapping violation violated his First and Fourth Amendment rights. The bipartisan majority agrees it is time for NH to join the other 39 states and allow one-party consent to record oral communications between two people. Vote 10-4. Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The laudable goal of this bill as introduced was to increase government transparency and accountability and protect the right to free expression. Unfortunately, the practical impact of this bill as amended is to eliminate essential privacy protections that exist under current New Hampshire law. New Hampshire is one of about a dozen states that require all parties to a conversation to consent to be recorded under RSA 570-A:2. This is often referred to as "two-party" or "dual" consent. The purpose of our consent wiretapping statute as currently written is to protect innocent citizens from undue surveillance, whether by the state or other private individuals. It is intended to protect individuals' right to an expectation of privacy in their private conversations. This bill would severely weaken these protections and put the privacy of Granite Staters at risk. Moreover, the right to record the police and other government actors is already protected under the First Amendment of the U.S. Constitution. This protection was just recently confirmed by the federal appellate court with jurisdiction over New Hampshire in the case Gericke v. Begin, 753 F. 3d (1st Cir. 2014). NH law needs to protect our rights to privacy, not erode them by passing this bill.

Majority Amendment (0731h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the prohibition on interception and disclosure of telecommunication or oral communications.

Amend the bill by replacing all after section 1 with the following:

2 Repeal. RSA 570-A:2, I-a, relative to the penalty for knowing interception of a telecommunication or oral communication without consent, is repealed.

3 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

The bill permits the interception of telecommunication or oral communications if at least one party consents to the recording. The bill also repeals the criminal penalty for the knowing interception of a telecommunication or oral communication without the consent of all parties to the communication, or the consent of one party as part of a criminal investigation.

MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 1546-FN**, permitting the audio recording of a public servant performing a public function, be laid on the table.

Motion adopted.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Burt during his Parliamentary Inquiry on **HB 1546-FN**, permitting the audio recording of a public servant performing a public function, be printed in the Permanent Journal.

REMARKS ON HB 1546-FN

Representative Burt: Thank you, Mister Speaker. Mister Speaker, I would like to make a motion and I'll speak very briefly on tabling HB 1549, 46, sorry.

Speaker Jasper: Rep. Burt moves that HB 1546 be laid upon the table and he is recognized for a parliamentary inquiry.

Representative Burt: Parliamentary inquiry? Okay, I'm glad I brought my sheet. Thank you, Mister Speaker. Mister Speaker, if I know that I put in an amendment on this bill, and if I also know, Mister Speaker, that it is rare that I am wrong? But, if I further know, Mister Speaker, I am wrong on this bill and lastly, Mister Speaker, if I promise not to call any more roll calls, will you please vote no and press the green button to table? Thank you.

REGULAR CALENDAR CONT'D

HB 1614-FN, relative to the criminal penalty for prostitution. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Laura Pantelakos for the Majority of Criminal Justice and Public Safety. The committee heard extensive testimony on this bill about the intersection between prostitution, sexual assault, and human trafficking - all of which are being exacerbated by opioid abuse here in New Hampshire. At the present time, the committee feels that passage of this bill, which, in part, would legalize prostitution for those over the age of 18, would be premature and could result in extensive unintended consequences. The committee has already voted to unanimously pass another bill, HB 1628, that will make it a class B felony to engage in sexual contact with a person under the age of 18, thus enhancing protections for minors who are trafficking victims and achieving what the second part of

this bill sought to do, which is a prudent step in the right direction. There are several statewide and regional multidisciplinary commissions working on the issues of prostitution and human trafficking and the committee feels it best to explore these issues further with input from stakeholders including victims, sex workers, law enforcement and victim advocates so that we can move forward knowing what is being done and what remains to be accomplished here in New Hampshire. Vote 13-3. Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill establishes that consensual sex between consenting adults should not be illegal. In addition, the bill protects persons under the age of 18 from anyone using force or intimidation to be involved in prostitution. Any person that uses such tactics against a juvenile under this legislation would be subject to a felony. It is the minority opinion that this is a balanced approach toward consensual sex between adults, who mutually agree to the act, and the abhorrent behavior of sex slavery and human trafficking.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Edwards spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Murphy moved that **HB 1614-FN**, relative to the criminal penalty for prostitution, be laid on the table.

On a division vote, with 152 members having voted in the affirmative, and 145 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1631-FN, relative to penalties for possession of marijuana. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. John Martin for the Majority of Criminal Justice and Public Safety. The committee heard much testimony both for and against passage of this bill and was also subject to a very intense executive session and there are strong feelings on both sides of the issue. One fact that was frequently raised was that New Hampshire has already passed a medical marijuana bill and that we should take the next step. The only drawback to this argument is that, while medical marijuana has been approved, the system is not yet in place for delivery, and as such there is no information as to the performance or shortfalls of the system. Another argument was over the legalization of tobacco and alcohol and how marijuana would be another revenue stream. Legalizing anything in order to generate revenue is not good legislative policy, let alone another dangerous substance that can be and is abused. Marijuana was recognized as a dangerous substance, and to emphasize that point, some of the angriest testimony we heard was from self-admitted marijuana users. There was also much testimony from treatment providers against the bill and a very well prepared presentation from high school students outlining the perceived problems in high school. After initially passing in executive session, it was subsequently moved for reconsideration to amend the bill. Although the amendment passed, the bill was voted ITL on the second go around. Another consideration is that New Hampshire is investing a lot of time and money in the current drug crisis. To that end, we are hearing many bills that deal with expanding the availability of substances with the potential for abuse or addiction. It sends the wrong message to try to reduce one abused substance by offering substitutes. It would be counter-productive to increase the prevalence or facilitate the ease of acquiring any unsafe substance at this time. Vote 7-6.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority believes it is time to stop making citizens who possesses a small amount of marijuana criminals, and instead treat marijuana as a public health matter. This bill reforms NH marijuana laws to make possession of a small amount of marijuana a violation, subject to a fine, instead of a misdemeanor crime subject to arrest, jail time, and a criminal record. It is similar to the steps taken by 19 other states, including all other New England states, to decriminalize marijuana possession, and is similar to decriminalization legislation that has been passed by the House six times since 2008. This bill does not endorse the use of marijuana, nor ignore the problems that can be associated with its use. Instead, it suggests that limited law enforcement and court resources should be applied more wisely and in accordance with public opinion. A UNH/WMUR poll released in July 2015 indicated that 72% of Granite Staters support decriminalizing marijuana. The bill provides that an individual could possess up to one-half ounce of marijuana without being subject to misdemeanor arrest, includes escalating fines for repeat violations and maintains current laws outlawing marijuana cultivation and sale. This bill seeks to stop making criminals out of citizens by placing our marijuana laws more in line with voter opinion, the New Hampshire Constitution, and common sense.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Martin spoke in favor.

Rep. Schroadter spoke against and yielded to questions.

Rep. Marston spoke in favor.

Rep. Maes requested a roll call; sufficiently seconded.

YEAS 104 NAYS 193

YEAS - 104

BELKNAP

Dumais, RussellFields, DennisFlanders, DonaldHurt, GeorgeLeBreche, ShariRussell, DavidSpanos, PeterTilton, Franklin

CARROLL

Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Schmidt, Stephen Umberger, Karen

CHESHIRE

Abbott, Michael Hunt, John

COOS

Fothergill, John Hatch, William Tholi, John Thomas, Yvonne

GRAFTON

Almy, Susan Bailey, Brad Cooney, Mary Ladd, Rick

HILLSBOROUGH

Barry, Richard Belanger, James Biggie, Barbara Brown, Pamela Christiansen, Lars Cote, David Goley, Jeffrey Gould, Linda Griffin, Barbara Guerette, C. Lee Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith LeBrun, Donald Leishman, Peter Manley, Jonathan Marston, Dick Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Rouillard, Claire Rowe, Robert Seidel, Carl Snow, Kendall

MERRIMACK

Ebel, Karen Hess, David Hill, Gregory Kenison, Linda Kotowski, Frank Kuch, Bill Martin, John Schuett, Dianne Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Azarian, Gary Bates, David Bush, Carol Cahill, Michael Chase, Francis DeSimone, Debra Devine, James Ferrante, Beverly Francese, Paula Friel, William Gannon, William Green, Dennis Griffin, Mary Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Kappler, Lawrence Katsakiores, Phyllis Kolodziei, Walter Matthews, Carolyn McKinney, Betsy Nigrello, Robert O'Connor, John Packard, Sherman Pantelakos, Laura Prudhomme-O'Brien, Katherine Rice, Frederick Sytek, John Thomas, Douglas Tilton, Rio Ward, Joanne Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Graham, Robert Gray, James Groen, Warren Mullen, John Schmidt, Peter Southworth, Thomas Sprague, Dale Wuelper, Kurt

SULLIVAN

Grenier, James Smith, Steven

NAYS - 193 BELKNAP

Howard, Jr., Raymond Fraser, Valerie Gallagher, Brian Aldrich, Glen Vadney, Herbert Sylvia, Michael CARROLL

Comeau, Ed Butler, Edward Buco, Thomas Avellani, Lino Ticehurst, Susan Wright, Ted

CHESHIRE

Chase, Cynthia Bordenet, John Berch, Paul Ames, Richard McConnell, James Mann, John Ley, Douglas Johnsen, Gladys Sad, Tara Robertson, Timothy Roberts, Kris Pearson, William Tilton, Benjamin Weber, Lucy Tatro, Bruce Shepardson, Marjorie

COOS Rideout, Leon Moynihan, Wayne

GRAFTON Gionet, Edmond Darrow, Stephen Ford, Susan Abel, Richard Ingbretson, Paul Hull, Robert Hennessey, Martha Higgins, Patricia Smith, Suzanne

Massimilla, Linda Maes, Kevin Johnson, Eric Townsend, Charles White, Andrew Sykes, George

HILLSBOROUGH

Baroody, Benjamin Backus, Robert Ammon, Keith Adams, Christopher Byron, Frank Burt, John Boehm, Ralph Beaulieu, Jane Cornell, Patricia Coffey, James Christie, Rick Christensen, Chris Edelblut, Frank Eastman, Eric Donovan, Daniel Danielson, David Freitas, Mary Ferreira, Elizabeth Estevez, Eric Edwards, Elizabeth Gorman, Mary Heath, Mary Gidge, Kenneth Gagne, Larry Jack, Martin Infantine, William Hopper, Gary Mangipudi, Latha Long, Patrick Lachance, Joseph Moore, Josh McNamara, Richard McLean, Mark Ohm, Bill O'Brien, Michael Murphy, Keith Rice, Kimberly Proulx, Mark Porter, Mariorie

Jeudy, Jean McCarthy, Peggy Murotake, David Parison, James Roberts, Carol Shattuck, Gilman Schleien, Eric Sanborn, Laurie Smith, Timothy Smith, Gregory Simmons, Tammy Sweeney, Shawn Sullivan, Victoria Sullivan, Daniel Vann, Ivv Ulery, Jordan Twombly, Timothy Wolf, Terry

MERRIMACK

Rosenwald, Cindy

Shaw, Barbara

Soucy, Timothy

Walsh, Robert

Takesian, Charlene

Deloge, Helen Carson, Clyde Bartlett, Christy Alicea, Caroletta French, Harold French, Barbara Frazer, June Doherty, David Hoell, J.R. Hirsch, Geoffrey Henle, Paul Gile, Mary Luneau, David Long, Douglas Karrick, David Horn, Werner McGuire, Dan McGuire, Carol Marple, Richard MacKay, James Saunderson, George Rice, Chip Myler, Mel Ratzki, Mario Wheeler, Deborah Seaworth, Brian Turcotte, Alan

ROCKINGHAM

Berrien, Skip Barnes, Arthur Baldasaro, Alfred Abramson, Max Christie, Andrew Chirichiello, Brian Cardon, G. Thomas Borden, David Dean-Bailey, Yvonne DiFranco, Debbie Cushing, Robert Cook, Allen Gordon, Pamela Emerick, J. Tracy Duarte, Joe Doucette, Fred McBeath, Rebecca Lovejoy, Patricia Itse. Daniel Heffron, Frank

Milz, David Osborne, Jason Peckham, Michele Potucek, John Schroadter, Adam Simpson, Alexis Spillane, James Sweeney, Joe True, Chris Vose, Michael Ward, Gerald

STRAFFORD

Baber, William Beaudoin, Steven Bickford, David Bixby, Peter Burton, Wayne Cheney, Catherine DiSesa. Len Hannon, Joseph Horrigan, Timothy Jones, Laura Kaczynski, Jr., Thomas Leeman, Don Pitre, Joseph Smith, Marjorie Spang, Judith Stevens, Audrey Treleaven, Susan Turcotte, Leonard Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia Laware, Thomas Oxenham, Lee Rollins, Skip

Schmidt, Andrew

and the majority committee report failed.

Rep. Cushing moved the minority committee report of Ought to Pass.

Minority committee report adopted and ordered to third reading.

HB 1645, relative to carrying a pistol or revolver without a license. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Geoffrey Hirsch for the Majority of Criminal Justice and Public Safety. This bill makes it lawful to carry a loaded firearm exposed in an automobile. This can create serious safety risks to others in the vehicle, including children. This will also increase potential risks for accidental discharges, expose law enforcement to risks during routine traffic stops, and leave weapons r ore available for theft. Existing law, which prohibits transportation of loaded guns in vehicles, has served New Hampshire well since 1923 and makes even more sense today. This bill simply creates too many public safety concerns. Vote 8-5. Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill amends the statute, RSA 159:4, relating to carrying a pistol or revolver concealed in a vehicle. The open display of a firearm is established in New Hampshire, holstered on the hip, shoulder, or thigh, anywhere it can be secured and in plain view. Existing law is in conflict with open carry when an individual who legally open carries then moves into a vehicle. The law then states that an individual needs to be licensed. The minority argues that the act of concealing can only be described as placing the firearm under a shirt, under a pant leg, obliterating the visual cue of the firearm. For example, if an observer is looking at the left hip of a person openly carrying a firearm, but the firearm is holstered on the right hip, it cannot be seen initially, but is considered "open carry." Therefore, it can be concluded that if the same individual sits in a vehicle with said firearm on the hip, shoulder, or thigh, secured in plain view and the firearm is not visually obliterated, the act is not concealed.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Spillane spoke against and yielded to questions.

Rep. Hirsch spoke in favor.

Fields, Dennis

Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 149 NAYS 146

YEAS - 149 BELKNAP

Flanders, Donald Russell, David Tilton, Franklin CARROLL Butler, Edward Nelson, Bill Parker, Harold Ticehurst, Susan Umberger, Karen CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Johnsen, Gladys Ley, Douglas Mann, John Pearson, William Roberts, Kris Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Tilton, Benjamin Weber, Lucy

COOS Tholl, John Movnihan, Wayne Hatch, William Fothergill, John Thomas, Yvonne GRAFTON Cooney, Mary Ford, Susan Almy, Susan Abel, Richard Maes, Kevin Higgins, Patricia Ladd, Rick Hennessey, Martha Townsend, Charles Sykes, George Massimilla, Linda Smith, Suzanne White, Andrew HILLSBOROUGH Beaulieu, Jane Barry, Richard Baroody, Benjamin Backus, Robert Freitas, Mary Cote, David Cornell, Patricia Brown, Pamela Hansen, Peter Haefner, Robert Guerette, C. Lee Gorman, Mary Long, Patrick Leishman, Peter Hinch, Richard Heath, Mary McNamara, Richard Marston, Dick Manley, Jonathan Mangipudi, Latha Pierce, David Porter, Mariorie Palmer, Barry O'Brien, Michael Shattuck, Gilman Rowe, Robert Rosenwald, Cindy Roberts, Carol Sullivan, Daniel Soucy, Timothy Snow, Kendall Smith, Timothy Walsh, Robert Vann, Ivv Takesian, Charlene MERRIMACK Carson, Clyde Deloge, Helen Bartlett, Christy Alicea, Caroletta French, Barbara Frazer, June Ebel. Karen Doherty, David Hess, David Hirsch, Geoffrey Henle, Paul Gile, Mary Kotowski, Frank Luneau, David Kenison, Linda Karrick, David Saunderson, George Ratzki, Mario Rice, Chip Myler, Mel Turcotte, Alan Schuett, Dianne Shurtleff, Stephen ROCKINGHAM Berrien, Skip Barnes, Arthur Azarian, Gary Abrami, Patrick Cushing, Robert Christie, Andrew Cahill, Michael Borden, David Francese, Paula Ferrante, Beverly DiFranco, Debbie Devine, James Hoelzel, Kathleen Heffron, Frank Gordon, Pamela Griffin, Mary Pantelakos, Laura McBeath, Rebecca Matthews, Carolyn Lovejov, Patricia Ward, Joanne Simpson, Alexis Ward, Gerald Peckham, Michele Webb, James Welch, David STRAFFORD DiSesa, Len Burton, Wayne Bixby, Peter Baber, William Schmidt, Peter Smith, Mariorie Horrigan, Timothy Gray, James Stevens, Audrey Sprague, Dale Spang, Judith Southworth, Thomas Wall, Janet Treleaven, Susan SULLIVAN Grenier, James Gottling, Suzanne Gagnon, Raymond Cloutier, John Smith, Steven Schmidt, Andrew Oxenham, Lee Irwin, Virginia NAYS - 146 RELKNAP Gallagher, Brian Fraser, Valerie Dumais, Russell Aldrich, Glen Spanos, Peter LeBreche, Shari Hurt, George Howard, Jr., Raymond Vadney, Herbert Sylvia, Michael CARROLL Cordelli, Glenn Comeau, Ed Buco, Thomas Avellani, Lino Schmidt, Stephen Wright, Ted

McConkey, Mark

McCarthy, Frank

CHESHIRE

Hunt, John McConnell, James

COOS

Rideout, Leon

GRAFTON

Bailey, Brad Darrow, Stephen Gionet, Edmond Hull, Robert Ingbretson, Paul Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Balcom, John Belanger, James Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Christiansen, Lars Christie, Rick Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Gagne, Larry Goley, Jeffrey Griffin, Barbara Hogan, Edith Hopper, Gary Infantine, William Jack, Martin Jeudy, Jean Lachance, Joseph LeBrun, Donald McCarthy, Peggy McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm. Bill Parison, James Pellegrino, Anthony Peterson, Ken Proulx, Mark Rice, Kimberly Rouillard, Claire Sanborn, Laurie Schleien, Eric Seidel, Carl Shaw, Barbara Simmons, Tammy Smith, Gregory Sullivan, Victoria Sweeney, Shawn Twombly, Timothy Ulery, Jordan Wolf, Terry

MERRIMACK

French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Long, Douglas MacKay, James Marple, Richard Martin, John McGuire, Carol McGuire, Dan Seaworth, Brian

ROCKINGHAM

Abramson, Max Baldasaro, Alfred Bates, David Bush, Carol Cardon, G. Thomas Chase, Francis Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Doucette, Fred Duarte, Joe Emerick, J. Tracy Friel, William Gannon, William Green, Dennis Harris, Jeffrey Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Milz, David Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Potucek, John Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James Sweeney, Joe Sytek, John Thomas, Douglas Tilton, Rio True, Chris Vose, Michael Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Groen, Warren
Hannon, Joseph
Leeman, Don
Wullen, John
Hire, Joseph
Graham, Robert
Kaczynski, Jr., Thomas
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Converse, Larry Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

MOTION TO SUSPEND HOUSE RULES

Rep. Hinch moved that House Rules be so far suspended as to allow the remainder of bills on today's calendar be made Special Orders for the next Session date of March 23, 2016.

On a division vote, with 275 members having voted in the affirmative, and 25 in the negative, the

motion was adopted by the necessary two-thirds vote.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 23, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

HB 1252, permitting employers to pay wages to employees weekly or biweekly.

HB 1301, relative to the issuance of youth employment certificates.

HB 1322, relative to reports to the public employee labor relations board.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

HB 1382, relative to the referendum procedure for public water systems.

HB 1455, relative to the application of the municipal budget law to village districts wholly within

HB 1508, allowing public libraries to run certain privacy software.

HB 1349, relative to the Merrimack county superior court.

HB 2016, relative to the state 10-year transportation improvement program.

HB 297, protecting individual customer data from disclosure by a public utility.

HB 1116, relative to net metering.

HB 1148, relative to pipeline capacity contracts.

HB 1288, relative to the National Guard force protection policy.

HB 1132, relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

HB 1445-FN, relative to tinted windows on motor vehicles.

HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities.

HB 1247, relative to poker in private residences.

HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income.

HB 1236, relative to hearings on modifications of parental rights and responsibilities.

HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings.

HB 1280, relative to grounds for modification of parental rights and responsibilities.

HB 1188, relative to the brew pub license.

HB 1227, repealing provisions of law regulating Sunday business activities.

HB 1339, relative to the corporate governance annual disclosure act.

HB 1340, relative to producer licensing.

HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.

HB 1540-FN, relative to direct shipments of beer.

HB 1451, relative to the annulment of certain criminal offenses.

HB 1547, prohibiting bestiality.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

HB 1626-FN, relative to drug take-back programs.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

HB 1232, relative to visits to schools by non-academic government or private organizations.

HB 1329, relative to transportation of alcoholic beverages.

HB 1370, relative to termination of tenancy.

HB 1250, relative to medical neglect of children.

HB 1471, relative to parental rights.

HB 1608-FN, relative to uniform prior authorization forms.

HB 1697-FN, relative to the operation and insurance of transportation network companies.

HB 1631-FN, relative to penalties for possession of marijuana.

UNANIMOUS CONSENT

Rep. Almy requested Unanimous Consent of the House regarding the correction of a Parliamentary Inquiry and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 9:30 p.m.

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 301, 305, 306, 310, 320, 321, 323, 325, 329, 330, 334, 339, 344, 353, 358, 363, 368, 370, 383, 384, 386, 388, 389, 400, 403, 406, 418, 419, 420, 424, 433, 436, 441, 442, 446, 449, 450, 458, 461, 465, 467, 468, 471, 477, 478, 483, 484, 487, 489, 498, 500, 501, 512, 517, 523, 524, 530, 534, 536, 537, 538, 543, 545, 549 and 550 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 301, relative to the consumption of liquor at sports complexes. (Commerce and Consumer Affairs)

SB 305, including fermented pear juice in the definition of cider. (Commerce and Consumer Affairs)

SB 306, enabling the sampling of beer or wine at farmers' markets. (Commerce and Consumer Affairs) SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies. (Executive Departments and Administration)

SB 320, relative to non-academic surveys administered by a public school to its students. (Education) SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. (Science, Technology and Energy)

SB 323, relative to the use of force by employees of hospitals or other health care facilities. (Health, Human Services and Elderly Affairs)

SB 325, relative to vaccines administered by pharmacists. (Health, Human Services and Elderly Affairs)

SB 329, revising the nurse licensure compact. (Executive Departments and Administration)

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. (Executive Departments and Administration)

SB 334, establishing a commission to study the planning functions of the office of energy and planning. (Science, Technology and Energy)

SB 339-FN, relative to required DNA analysis for certain offenses. (Criminal Justice and Public Safety) SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. (Ways and Means)

SB 353, relative to names on ballots. (Election Law)

SB 358, relative to use of navigation devices in motor vehicles. (Transportation)

SB 363, relative to the definition of owner of an OHRV or snowmobile. (Resources, Recreation and Development)

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. (Public Works and Highways)

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Education)

SB 383, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network. (Resources, Recreation and Development)

SB 384, relative to the feeding of wild deer. (Fish and Game and Marine Resources)

SB 386, adding biodiesel to electric renewable energy sources. (Science, Technology and Energy) SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan.

(Executive Departments and Administration)

SB 389-FN, relative to the penalty for possession of multiple firearms. (Criminal Justice and Public Safety)

SB 400, relative to executive branch ethics. (Executive Departments and Administration)

SB 403, relative to the sale of gift certificates with expiration dates. (Commerce and Consumer Affairs)

SB 406-FN, relative to classification of certain state employee positions. (Executive Departments and Administration)

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws. (Election Law)

SB 419-FN, relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)

SB 420-FN, relative to aid to the permanently and totally disabled. (Health, Human Services and Elderly Affairs)

SB 424-FN, relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors. (Executive Departments and Administration)

SB 433, relative to exclusions from seasonal highway weight limit regulation. (Transportation)

SB 436, relative to after market automobile parts. (Transportation)

SB 441-FN, relative to discounts and admission without charge at state parks. (Resources, Recreation and Development)

SB 442-L, establishing a commission to study the taxability of lease interests in public property. (Ways and Means)

SB 446, relative to requirements of the state building code. (Executive Departments and Administration)

SB 449, relative to payment of workers' compensation benefits by direct deposit. (Labor, Industrial and Rehabilitative Services)

SB 450, relative to investments by insurance companies. (Commerce and Consumer Affairs)

SB 458-FN, relative to reporting by political committees. (Election Law)

SB 461-FN, relative to expenditures of the Winnipesaukee River Basin control program funds. (Resources, Recreation and Development)

SB 465-FN, relative to the nonconsensual dissemination of private sexual images. (Criminal Justice and Public Safety)

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. (Executive Departments and Administration)

SB 468-FN, relative to changes to the sex offender registry. (Criminal Justice and Public Safety)

SB 471-FN, relative to parking for persons with disabilities. (Transportation)

SB 477-FN, relative to nonemergency involuntary admissions. (Health, Human Services and Elderly Affairs)

SB 478-FN, permitting the online renewal of a nondriver's picture identification card. (Transportation) SB 483-FN, establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years. (Education)

SB 484, relative to the role of the Winnipesaukee River advisory board. (Resources, Recreation and Development)

SB 487, relative to missing vulnerable adults. (Health, Human Services and Elderly Affairs)

SB 489, requiring a demonstration project using a Stirling engine system. (Science, Technology and Energy)

SB 498-FN, relative to penalties for possession of certain controlled drugs. (Criminal Justice and Public Safety)

SB 500-FN, relative to student health insurance plans. (Commerce and Consumer Affairs)

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol. (Commerce and Consumer Affairs)

SB 512, relative to health care associated infections. (Health, Human Services and Elderly Affairs) SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. (Criminal Justice and Public Safety)

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form. (Health, Human Services and Elderly Affairs)

SB 524, relative to state procurement card rebates. (Executive Departments and Administration)

SB 530-FN, establishing a commission to study volunteer health care services. (Health, Human Services and Elderly Affairs)

SB 534-FN, to implement a system of care for children's behavioral health. (Health, Human Services and Elderly Affairs)

SB 536, relative to emergency interim relief under the child protection act. (Children and Family Law)

SB 537, relative to record management of abuse and neglect reports. (Children and Family Law)

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. (Children and Family Law)

SB 543-FN, relative to private transferring of adopted children. (Children and Family Law)

SB 545, proclaiming August as Cure all Cancer month. (Executive Departments and Administration) SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission. (Public Works and Highways) SB 550-FN, relative to the maximum gross weight for dump trailers. (Transportation)

SENATE MESSAGES

CONCURRENCE WITH AMENDMENT

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission.

CONCURRENCE

HB 301, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data.

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.

NONCONCURRENCE

HB 359, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction.

HB 471, relative to the duties of school boards.

HB 1604-FN-A-L, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 10

Wednesday, March 23, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Creator God, as each day comes to an end, You shroud Your creatures in the depths of night, so that we learn to appreciate the brightness of the sun. Whatever name we may give our faith, each one of us knows another kind of darkness: those times when our hearts are heavy with sorrow, fear, confusion or loss, and in this age of violence and terror, we encounter darkness on an even larger scale. We give You thanks, O God, for the promise of light. We thank You for the knowledge that not even the darkest pit can claim us as long as we trust in You. We praise You for the many ways Your hope and healing break into the black night of our despair, bright rays that pierce the darkness and restore our souls. Today, as we grieve with our brothers and sisters in Belgium, as our hearts break over the senseless loss of life, we praise You for Your glorious blessing of new life, especially evident this day in the birth of baby Henry. We give You thanks for his safe arrival, and for all the many ways You remind us that light is more powerful than darkness; life is the conqueror of death; love is greater than fear. Amen.

Representative LeBrun, member from Nashua, led the Pledge of Allegiance.

Representative Mary Gile of Concord, Representative Victoria Sullivan of Manchester, Representative Mel Myler of Contoocook, and Representative John Balcom of Merrimack led the singing of the National Anthem.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the victims of the attacks in Brussels, Belgium.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Comtois, Doucette, Gargasz, Gidge, Kellogg, Moody, Priestley, Sanders, Verschueren and Wright, the day, illness.

Reps. Beaudoin, Goulette, Martha Hennessey, Hirsch, Oligny, Piper, Shaw, Gregory Smith, Timothy Smith, Soucy, Tamburello and Whitehouse, the day, important business.

Rep. Fromuth, the day, illness in the family.

INTRODUCTION OF GUESTS

Bojan Jovanovic and Leo Hoffman, exchange students at Milford High School, Pages for the day. Debra and Zachary Schleien, mother and brother of Rep. Schleien. Dick Osborne and Mandy Gennaro, guest of Rep. Suzanne Smith. The Honorable Linda Tanner, former member from Georges Mills, guest of Rep. Irwin. Students from Proctor Academy in Andover, guests of Reps. Ratzki and Ebel. Fourth graders from Lincoln Street School in Exeter, guests of the Exeter Delegation.

HOUSE RESOLUTION 20

Memorializing State Representative Robert Luther of Laconia

WHEREAS we have learned with profound sorrow of the death of our friend and colleague Robert A. Luther, who was serving his third term as a State Representative representing the citizens of Belknap County District 3, the city of Laconia; and

WHEREAS Robert Luther served with diligence and enthusiasm on the committees on Constitutional Review and Statutory Recodification, Judiciary, and Election Law where his chairs praised him with "he was a thoughtful and loyal member of the Judiciary committee, at a time when his health was not the best he never complained and went to great lengths to honor what he believed to be his responsibility to his constituents and the House," and "he was always dependable, helpful, and easy to work with;" and

WHEREAS as a United States Navy veteran, a police officer in Gilford and Laconia, and a security officer at Lakes Region General Hospital, Robert Luther embodied the notion of protecting his country, community and those who needed medical assistance; and

WHEREAS Robert Luther was an active participant in local, as well as state government, having served on the Laconia city council for thirteen years, and he took a particular interest in his service as a member of the Belknap County Delegation, serving on multiple subcommittees and the county executive committee; now, therefore, be it

RESOLVED, by the House of Representatives in Regular Session convened, Robert A. Luther be granted the highest praise and accolades and our profound thanks for his service to his country, the state, and the city he called home for 44 years, and, be it further

RESOLVED, that expressions of our most heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives and adopted unanimously.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Laconia, the Honorable Robert A. Luther.

REMARKS BY THE SPEAKER

Please join me in congratulating the Clerk on the birth of his son Henry.

SENATE MESSAGES REOUESTS CONCURRENCE WITH AMENDMENTS

HB 527, requiring school districts employing school resource officers to adopt a written agreement. (Amendment printed SJ 3-10-16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 628-FN, relative to indemnification of health care provider facilities under certain circumstances. (Amendment printed SJ 2-4-16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Fothergill, Kotowski, Sherman and MacKay.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, removed by Rep. Goley. Consent Calendar adopted.

HB 1594-FN, relative to emergency medical services. OUGHT TO PASS.

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill makes it a misdemeanor to knowingly give false information during the course of an investigation conducted by emergency medical services. The penalty is consistent with the crime of giving false information to law enforcement during the course of an investigation. Vote 16-0.

HB 1130, requiring school districts to permit placement of a memorial honoring those who have died during military service. OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Ladd for Education. This bill as amended enables the placement of a memorial or memorial plaque on school property in memory of an alumnus of a junior high or high school in a district who died during active duty, with the condition that the memorial or memorial plaque is approved by either the school board or approved as a warrant article at the annual school district meeting. Expenses associated with design, manufacture, installation or maintenance are not required of the municipality or school district; however, these entities are not precluded from offering fiscal support. The bill as amended places all decision making at the local level, either through the school board or the town meeting process. In summary, the bill as amended accomplishes the primary intent of respecting those who died while honorably serving our country on active duty, and secondly, the bill fully supports local control and eliminates any mandates. Vote 17-0.

Amendment (1093h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Boards; Placement of Memorial or Memorial Plaque on School Property. Amend RSA 189 by inserting after section 18 the following new section:

189:18-a Memorial or Memorial Plaque on School Property. The placement of a memorial or memorial plaque on school property in memory of an alumnus of a junior high school or high school in the district who died honorably during active duty shall require approval from the school board or approval of a warrant article acted upon at the annual school district meeting. The cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state, any municipality, or the school district. This section shall not apply to the addition of names to already existing memorials or to plans for memorials initiated by the municipality or school district.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill permits, with the approval of the school board or by an approved warrant article at the annual school district meeting, the placement of a memorial or a memorial plaque on school property to honor alumni who have died honorably during active duty.

HB 1404-FN, relative to certain director positions in the insurance department. OUGHT TO PASS. Rep. David Danielson for Finance. This bill establishes eight new unclassified positions in the Department of Insurance and will result in the elimination of the same number of classified positions, as there is no additional appropriation to cover any additional costs. There are no general funds involved. Vote 26-0.

HB 1630-FN-L, relative to calculating the base cost of an adequate education. INEXPEDIENT TO LEGISLATE.

Rep. Kenneth Weyler for Finance. Parts of this bill have been dealt with in other legislation. We heard the third grade math proficiency issue in both HB 218 and HB 242, and asked to have further information on this issue before committing state funds. The House also made changes in the adequacy distribution in HB 1 and HB 2; these changes would be revised yet again by this bill. Consequently, the committee determined this bill was not necessary at this time. Vote 26-0.

HB 1644-FN, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. OUGHT TO PASS WITH AMENDMENT. Rep. Susan Ford for Finance. This bill provides for screening and intervention for dyslexia and related disorders. It establishes a reading specialist position at the Department of Education to support students having difficulty reading and provide school districts with best practices of reading instruction. The position will be funded by a grant available to the department. Vote 26-0.

Amendment (1092h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Screening and Intervention for Dyslexia and Related Disorders. Amend RSA 200 by inserting after section 52 the following new subdivision:

Screening and Intervention for Dyslexia and Related Disorders

200:53 Definitions. In this subdivision:

- I. "Dyslexia" means a specific learning disability that is:
 - (a) Neurobiological in origin;

(b) Characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that typically result from a deficit in the phonological component of language; and

(c) Often unexpected in relation to other cognitive abilities and the provision of effective class-room instruction, and may include secondary consequences such as reading comprehension problems, and reduced reading experience that can impede growth of vocabulary and background knowledge.

- II. "Potential indicators or risk factors of dyslexia and related disorders" means indicators that include, but shall not be limited to, difficulty in acquiring language skills, inability to comprehend oral or written language, difficulty in rhyming words, difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words, difficulty recognizing and remembering sight words, consistent transposition of number sequences, letter reversals, inversions, and substitutions, and trouble in replication of content.
- III. "Related disorders" includes disorders similar to or related to dyslexia, such as a phonological processing disorder, reading fluency disorder, and dysphasia.

200:54 Screening and Intervention for Dyslexia and Related Disorders.

- I. School districts shall screen all public school students, including English learners, using the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) or an equivalent cost effective screener for the identification of potential indicators or risk factors of dyslexia and related disorders upon enrollment in public school kindergarten or first grade, and at appropriate times thereafter, to monitor progress. Beginning in 2017, such screening shall be completed no later than November 30 of each school year.
- II. The student's school district shall provide age-appropriate, evidence-based, intervention strategies for any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders beginning no later than January 1, 2018.
- III. The parent or legal guardian of any student who is identified by the public school as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders shall be notified and provided with all screening information and findings, in addition to periodic formal screening results based on individual written intervention and support plans developed with the student's parents or legal guardian.
- IV. A parent or legal guardian of any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders has the right to submit the results of an independent evaluation from a licensed reading or intervention specialist highly trained in dyslexia, and related disorders for consideration by the student's school district. A parent or legal guardian who submits an independent evaluation shall assume all fiscal responsibility for that independent evaluation.

200:55 Reading Specialist.

- I. There is hereby established in the department of education the position of reading specialist, a temporary classified position until June 30, 2017, which shall be funded by existing sources available to the department.
- II. No later than January 1, 2017, the commissioner of the department of education shall designate a reading specialist to enable the department to provide school districts with the support and resources necessary to assist students with dyslexia and related disorders and their families. The reading specialist shall provide technical assistance for dyslexia and related disorders to school districts.

III. The reading specialist shall:

- (a) Be trained and certified in best practice interventions and treatment models for dyslexia, with expertise in related disorders, and dysgraphia.
- (b) Have a minimum of 3 years of field experience in screening, identifying, and treating dyslexia and related disorders.
 - (c) Be responsible for the implementation of professional awareness.
- (d) Serve as the primary source of information and support for school districts to address the needs of students with dyslexia and related disorders, and dysgraphia.

200:56 Teacher Professional Development and Training.

- I. No later than June 30, 2017, the reading specialist shall develop and make available a program to ensure all New Hampshire teachers and school administrators have access to materials to support professional awareness of best practices on:
 - (a) Recognition of the characteristics of dyslexia and related disorders, and dysgraphia.
- (b) Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia.
- II. The reading specialist and the council for teacher education established in RSA 190 shall collaborate to ensure that all teacher education programs offered at New Hampshire's public institutions of higher education provide explicit professional awareness of best practices on:
 - (a) Recognition of characteristics of dyslexia and related disorders, and dysgraphia.

(b) Evidence-based interventions and accommodations for dyslexia and related disorders,

and dysgraphia.

200:57 Dyslexia Resource Guide. No later than June 30, 2017, the reading specialist shall develop and publish on the department of education's Internet website, a reading support resource guide to be used by school districts as a resource. The reading specialist shall solicit the advice of experts in the fields of dyslexia and related disorders, and dysgraphia in the development of the guide. The reading specialist shall update the guide as necessary.

AMENDED ANALYSIS

This bill requires the commissioner of the department of education to designate a reading specialist to provide support and resources to school districts for identifying and assisting students with dyslexia and related disorders and their families.

This bill is a request of the committee to study policies which it determines are necessary for dyslexic students (2015, 172).

HB 1695-FN, establishing an office of health services planning and review within the department of health and human services. OUGHT TO PASS WITH AMENDMENT.

Rep. Cindy Rosenwald for Finance. This bill establishes a process for development and compilation of publicly available data on health system patient safety, cost, quality, access, system performance, and financing. As amended, the Commissioner of Health and Human Services shall report to the Fiscal Committee on a funding plan and progress of the inter-departmental memorandum of understanding by October 1, 2016. The amendment clarifies there is no general fund appropriation in the bill. Finally, the amendment also requires the legislative budget assistant to assess the feasibility of evaluating cost-effectiveness of state-funded programs using available research studies. There is an interim report date of November 1, 2016, with the final report due one year later. Vote 25-1.

Amendment (1058h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

Amend RSA 126-A:70, V as inserted by section 1 of the bill by replacing it with the following:

V. The commissioner, in consultation with the council, shall enter into a memorandum of understanding with the insurance commissioner and attorney general for collaboration in the development of the publicly available information specified in paragraph I. The memorandum of understanding shall include a description of the resources that shall be made available to the department and shall specifically identify data and reports which shall be shared with the department. The commissioner shall submit a report on the implementation of the memorandum of understanding, including the cost to make the health system public data resource plan and to meet other requirements set forth in this subdivision, to the fiscal committee of the general court, established in RSA 14:30-a, on or before October 1, 2016. The report shall be subject to review and comment by the fiscal committee. Amend RSA 126-A:70, VII as inserted by section 1 of the bill by replacing it with the following:

VII. The department, in consultation with the council, shall make the health system public data resource plan and meet other requirements set forth in this subdivision, subject to sufficient and available funding. No additional general funds shall be appropriated for this subdivision for the biennium ending June 30, 2017.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Office of Legislative Budget Assistant; Cost Effectiveness of Programs Within State Agencies.

I. The legislative budget assistant, in collaboration with the department of administrative services and such other organizations as he or she may wish to consult, shall evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state-funded programs. The process for determining cost effectiveness shall include, but not be limited to, the following steps:

(a) Systematically assessing high-quality studies from the United States and elsewhere to identify policy options that have been tried and tested and found to achieve improvements in outcomes.

(b) Determining the cost to produce the results found in subparagraph (a) in this state, determining the benefits from such an improved outcome, and calculating the net present value thereof.

- (c) Assessing the risk in the estimates to determine the probability that a particular policy option's benefits will outweigh its costs.
 - (d) Ranking programs in state agencies based on net present value and risk.
- II. The department of administrative services and each state agency shall furnish to the legislative budget assistant information, excluding information otherwise confidential under law, he or she may request in the course of carrying out the duties under this section in a mutually agreeable and compatible format.

III. The legislative budget assistant shall make an initial report by November 1, 2016, on the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. If the legislative budget assistant determines that calculating cost effectiveness is feasible, he or she shall make a final report on or before November 1, 2017, including recommendations for legislation, to the commissioner of administrative services, the chairpersons of the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the state library, and the governor.

AMENDED ANALYSIS

This bill establishes a health system public data resource plan for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill also establishes a health system public data resource planning council to provide consultation for the development of a 10-year health system public data resource plan for New Hampshire. The bill also establishes a fund for the implementation and administration of the requirements of the plan.

The bill also requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

HB 1298, relative to damage to private property. OUGHT TO PASS WITH AMENDMENT.

Rep. Linda Kenison for Judiciary. This bill as amended puts in statute the rights of a landowner when dealing with someone that has dumped waste on their land or done damage to their land through illegal OHRV and snowmobile use. Currently, the landowner's right of redress is an action for trespass or claims for damages through a court action. These remedies do not always adequately compensate landowners for all the costs they incur and the outcomes are inconsistent. The bill will correct this by creating a "private right of action" for a landowner against any person who dumps waste on their property or vandalizes it through illegal OHRV or snowmobile use. This bill gives the court jurisdiction to enforce those remedies and the committee believes the penalties contained in the bill will provide a strong deterrent against anyone seeking to illegally dump or vandalize private property. This bill has broad support from a number of state agencies, landowner, conservation and recreation groups including, the New Hampshire Department of Resources and Economic Development (Division of Forest and Lands and Trails Bureau), New Hampshire Department of Environmental Services, New Hampshire Fish and Game Department, New Hampshire Snowmobile Association, New Hampshire Farm Bureau Federation, Society for the Protection of New Hampshire Forests, and the New Hampshire Timberland Owners Association. There was no testimony in opposition to this bill. Vote 16-1.

Amendment (1001h)

Amend RSA 149-P:1, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through RSA 149-O, upon the land of another, shall be liable to the owner of the land.

Amend RSA 149-P:1, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Obtain a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;

Amend the bill by replacing section 3 with the following:

- 3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Public or Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:
 - (f) The use of the OHRV has resulted in damage to public or private property.
- Amend RSA 215-A:19, X(a) and (b) as inserted by section 4 of the bill by replacing it with the following:
 - (a) The cost of clean-up and restoration to the prior condition of the lands;
- (b) Multiple damages of up to 3 times actual damages, based upon the level of culpability for the conduct, as determined by the trier of fact; and
- Amend RSA 215-C:34, I(a)(1) as inserted by section 5 of the bill by replacing it with the following:
- (1) To the owner of any lands where trees, shrubs, *roads*, or other property have been damaged as a result of travel over [his or her] the owner's premises by such vehicles.

HB 372, relative to certain private employers under workers' compensation. REFER FOR INTERIM STUDY.

Rep. Andrew White for Labor, Industrial and Rehabilitative Services. As written, this bill would exempt one group (small farms) from the workers' compensation requirements if payroll is less than \$10,000 per year. The bill contained several unintended consequences for both the employer and the employee that were of significant concern for the committee. The committee strongly supports the sponsors' intent and the motion will allow us to explore several options that were presented but could not be explored due to the impending deadline. Vote 14-0.

HB 1292, relative to the use of abandoned agricultural property. OUGHT TO PASS.

Rep. Franklin Sterling for Municipal and County Government. This bill was before the Municipal and County Committee as a second committee. It passed the first committee, Environment and Agriculture, with a 17-0 vote and was approved on the consent calendar. It simply makes a minor change to the wording of the statute dealing with agricultural property that had dropped into disuse and was to be used for farming again. It changes the descriptive word "disuse" to "abandonment." This committee agrees with the first committee in recommending passage of this bill. Vote 15-0.

HB 586-FN-L, relative to registration of automobile utility trailers. REFER FOR INTERIM STUDY. Rep. Robert Nigrello for Ways and Means. The committee agrees with the sponsors to explore expanding access to trailer registrations. Interim Study would allow us to flush out the process and possibly focus on the revenue expected from tractor trailers only. Vote 17-1.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers. OUGHT TO PASS.

Rep. Joseph Lachance for Ways and Means. This bill establishes a study committee to report on fees for sales of wine by manufacturers licensed in New Hampshire. The duties of the committee shall include an examination of federal reporting requirements and a determination of what fee would be revenue neutral if NH switches from the current percentage of sales fee to a per gallon fee for wine manufacturers. The Ways and Means Committee agrees with the policy committee, Commerce and Consumer Affairs, that this issue should be studied. Vote 16-2.

HB 1568-FN-A, relative to prepaid road tolls for electric vehicles. **REFER FOR INTERIM STUDY.** Rep. Bill Ohm for Ways and Means. In reviewing the bill for revenue impact, the committee was concerned that the cost of setting up the program would exceed the revenue received. Consequently the bill needs further work, and Interim Study is recommended. Vote 18-0.

HB 1584-FN, relative to the discharge of a person committed for nonpayment of a fine. OUGHT TO PASS.

Rep. Robert Nigrello for Ways and Means. The bill increases the monetary value of time served for non-payment of a fine. The Ways and Means Committee agrees that the new value is appropriate. Vote 18-0.

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses. OUGHT TO PASS.

Rep. Brian Gallagher for Ways and Means. This bill requires advertisements by short-term rental businesses to display the Meals and Rooms Tax license number of the operator. The fee for such license remains unchanged. The Department of Revenue Administration is supportive of having operators properly display the Meals and Rooms Tax license number certificate, as well as, ensuring enhancement of the proper collection of the Meals and Rooms fees due the State of New Hampshire. Vote 18-0.

HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. INEXPEDIENT TO LEGISLATE.

Rep. Patrick Abrami for Ways and Means. This bill would repeal RSA 320 relative to state licensure of hawkers and peddlers and RSA 321 relative to state licensure of itinerant vendors. The elimination of these licenses would reduce state revenue by \$24,750 according to the Secretary of State. Municipalities that have no ordinances on these types of vendors would not be able to recoup the cost of background checks that they would need to perform to ensure that these are reputable businesses temporarily coming into their borders. The committee also felt that the system in place, including the current fee structure, is working very well and that there is no need to repeal these statutes. Vote 17-0.

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle used exclusively for farming or agriculture. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Susan Almy for Ways and Means. The bill fixes an oversight in a 2014 law change (Ch. 282, Laws of 2014, SB 231) that allowed some towns to increase fees on working vehicles that rarely use our roads. The Ways & Means Committee amendment follows the policy committee's intent of including identical vehicles in reversing the 2014 change to town fees. Vote 17-0.

Amendment (1012h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the municipal registration fee for an agricultural/industrial utility vehicle. Amend RSA 261:153, I as inserted by section 1 of the bill by replacing it with the following:

I. The treasurer of each city, or such other person as the city government may designate, and the town clerk of each town shall collect fees for such permits as follows: on each vehicle offered for registration a sum equal to 18 mills on each dollar of the maker's list price for the first preceding model year vehicle, 15 mills on each dollar of the maker's list price for the second preceding model year vehicle, 9 mills on each dollar of the maker's list price for the second preceding model year vehicle, 9 mills on each dollar of the maker's list price for the third preceding model year vehicle, 6 mills on each dollar of the maker's list price for the fourth preceding model year vehicle, and 3 mills on each dollar of the maker's list price for the fifth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be less than \$5. Registration permit fees for construction equipment, as defined in RSA 259:42, shall be governed by RSA 261:64. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. The fee collected hereunder for a vehicle used only in the manner and for the purposes specified in RSA 261:82 and for an agricultural/industrial utility vehicle, as defined in RSA 259:2-a, shall be \$5; and provided further, that the fee collected hereunder for a farm tractor shall be \$5. In cases of doubt, the director may investigate for the purpose of determining eligibility for limited purpose registrations.

AMENDED ANALYSIS

This bill establishes the municipal registration fee for an agricultural/industrial utility vehicle.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. This bill simply repeals RSA 397-A and reenacts it in a more concise manner. The statute has to do with licensing of nondepository mortgage bankers, brokers, and services. The committee verified that all the fees in the original statute have not changed in the statute as proposed by this bill. Therefore, the committee had no objection to this statute as rewritten. Vote 17-0.

MOTION TO PRINT DEBATE

Rep. White moved that the debate, including Parliamentary Inquiries, on the reconsideration motion from March 10, 2016, on **HB 2016**, relative to the state 10-year transportation improvement program, be printed in the Permanent Journal.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 140 NAYS 191

YEAS - 140 BELKNAP

CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Arnes, Richard
Chase, Cynthia Eaton, Daniel
Mann, John Parkhurst, Henry
Robertson, Timothy Sad, Tara
Weber, Lucy

Tilton, Benjamin Berch, Paul Johnsen, Gladys Ley, Douglas Pearson, William Phillips, Larry Shepardson, Marjorie Tatro, Bruce

COOS

Froburg, Alethea Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Ford, Susan Nordgren, Sharon White, Andrew Almy, Susan Higgins, Patricia Smith, Suzanne Bennett, Travis Maes, Kevin Sykes, George Cooney, Mary Massimilla, Linda Townsend, Charles

HILLSBOROUGH

Griffin, Barbara Cohen, Alan Eastman, Eric Freitas, Mary Hansberry, Daniel Lachance, Joseph Mangipudi, Latha Brown, Pamela Rosenwald, Cindy Williams, Kermit

Backus, Robert Cornell, Patricia Edwards, Elizabeth Goley, Jeffrey Harvey, Suzanne LeBrun, Donald Manley, Jonathan Porter, Marjorie Schleien, Eric Woodbury, David Beaulieu, Jane
Cote, David
Ferreira, Elizabeth
Gorman, Mary
Heath, Mary
Leishman, Peter
McNamara, Richard
Proulx, Mark
Shattuck, Gilman

Roberts, Carol DiSilvestro, Linda Forest, Armand Guerette, C. Lee Jack, Martin O'Brien, Michael O'Neil, William Walsh, Robert Vann, Ivy

MERRIMACK

Turcotte, Alan Bradley, Paula Doherty, David Frazer, June Moffett, Howard Rogers, Katherine Alicea, Caroletta Rice, Chip Ebel, Karen Kenison, Linda Myler, Mel Saunderson, George French, Barbara Carson, Clyde Gile, Mary Luneau, David Patten, Dick Schuett, Dianne Bartlett, Christy Deloge, Helen Henle, Paul MacKay, James Ratzki, Mario Wheeler, Deborah

ROCKINGHAM

Berrien, Skip DiFranco, Debbie Lovejoy, Patricia Pantelakos, Laura Borden, David Francese, Paula McBeath, Rebecca Sherman, Thomas Cahill, Michael Ward, Gerald McKinney, Betsy Simpson, Alexis Cali-Pitts, Jacqueline Heffron, Frank Gordon, Pamela Tucker, Pamela

STRAFFORD

Baber, William DiSesa, Len Kaen, Naida Spang, Judith Bixby, Peter Gardner, Janice Smith, Marjorie Stevens, Audrey Burton, Wayne Horrigan, Timothy Schmidt, Peter Treleaven, Susan Cilley, Jacalyn Ward, Kenneth Southworth, Thomas Wall, Janet

SULLIVAN

Schmidt, Andrew Irwin, Virginia Cloutier, John Laware, Thomas Converse, Larry O'Hearne, Andrew Gottling, Suzanne Oxenham, Lee

NAYS - 191 BELKNAP

	В	ELKNAP	
Aldrich, Glen Flanders, Donald Russell, David Varney, Peter	Dumais, Russell Gallagher, Brian Spanos, Peter	Tilton, Franklin Howard, Raymond Fraser, Valerie	Fields, Dennis Hurt, George Vadney, Herbert
	C	ARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel Parker, Harold	McCarthy, Frank Schmidt, Stephen	McConkey, Mark Umberger, Karen	Nelson, Bill
	C	HESHIRE	
Bordenet, John McConnell, James	Emerson, Susan Sterling, Franklin	Hunt, John	Roberts, Kris
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric Shackett, Jeffrey	Gionet, Edmond	Hull, Robert	Ladd, Rick
	HILL	SBOROUGH	
Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Coffey, James	Danielson, David	Donovan, Daniel
Edelblut, Frank	Estevez, Eric	Flanagan, Jack	Gagne, Larry
Gould, Linda	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Belanger, James
Rice, Kimberly	Kurk, Neal	Ober, Lynne	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Christie, Rick
Ober, Russell	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Scontsas, Lisa Souza, Kathleen	Seidel, Carl	Simmons, Tammy	Snow, Kendall
Twombly, Timothy	Stepanek, Stephen Ulery, Jordan	Straight, Phillip Sullivan, Victoria	Takesian, Charlene Wolf, Terry
Zaricki, Nick	Olery, bordan	Sumvan, Victoria	woll, relly
	ME	RRIMACK	
Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Karrick, David	Kidder, David	Kotowski, Frank
Kuch, Bill	Marple, Richard	Martin, John	Parent, Jason
Seaworth, Brian	Walsh, Thomas	Wallner, Mary Jane	

ROCKINGHAM

Abrami, Patrick	
Baldasaro, Alfred	
Cardon, G. Thomas	
Dean-Bailey, Yvonne	
Elliott, Robert	
Fesh, Robert	
Guthrie, Joseph	

Abramson, Max Barnes, Arthur Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Friel, William Harris, Jeffrey Allen, Mary Bates, David Cook, Allen Devine, James Chase, Francis Gannon, William Hodgdon, Bruce Azarian, Gary Bush, Carol Thomas, Douglas Duarte, Joe Ferrante, Beverly Green, Dennis Hoelzel, Kathleen Introne, Robert Sweeney, Joe Ward, Joanne Kappler, Lawrence Kolodziej, Walter Lundgren, David Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McMahon, Charles Milz, David O'Connor, John Nigrello, Robert Osborne, Jason Potucek, John Prudhomme-O'Brien, Katherine Gordon, Richard Tilton, Rio Spillane, James Svtek, John True, Chris Vose, Michael Webb, James Welch, David Woitkun, Steven Weyler, Kenneth

STRAFFORD

Berube, Roger Bickford, David Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Turcotte, Leonard Leeman, Don Mullen, John Pitre, Joseph Wuelper, Kurt

SULLIVAN

Grenier, James Rollins, Skip Smith, Steven

and the motion failed.

Rep. Wallner voted Nay and intended to vote Yea.

REGULAR CALENDAR - PART I

HB 280-FN, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Daniel Eaton for the Majority of Finance. While very well intended, HB 280 would have significant unintended consequences. The bill starts out offering several new plate options to military vets that already have numerous plate options. To start this new option, the bill spends \$285,000 from the plate fund for a new program in a non-budget year, a fund that is already millions of dollars short due to prior legislative "borrowing." To allow the plate fund to break even, 57,000 new plates would have to be sold. Currently, there are 34,000 veteran plates in all categories. It must be assumed that many of the new plate purchases would come from the existing veteran plate population along with some from the current 51,000 moose and park plates further diminishing funds from already needy programs. It is easy to see that this will take years to just come even with replenishing the plate fund. Each year there are a few requests for new plates. HB 280 goes to the extreme of inviting any 501c(3) to apply for special plates by placing that language in statute. Not only is there the cost and time of an unprecedented number of bills, HB 280 will open the floodgates to every 501c(3) organization to request a special 3x3 inch sticker on their plate, thereby changing license plates from identifiers to advertisers. Finally, for the first time, we will be politicizing license plates, potentially creating the "lawyers relief act of 2016" and risking litigation costs for the foreseeable future depending on the political whims of the day and whether one or another 501c(3) is approved or not. Vote 14-12.

Rep. Karen Umberger for the Minority of Finance. The majority has overlooked the position of the House on the policy in HB 280. There will be only one plate created to which a service decal available only from the Office of Veterans' Services, for a \$10 fee, will be attached. If future 501c(3) organizations are approved there will be no additional costs for the Department of Safety to issue plates. In order for a person to obtain the new plate there is an additional \$15 cost. We do not anticipate this plate will result in any reduction in the number of moose plate or state parks plates issued, but it is likely to result in veterans choosing to display their service on the new decal license plate rather than using the current veteran plates. We do not believe HB 280 will result in politicizing license plates. This bill is a giant step forward to allowing special recognition for our veterans.

The question now being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Steven Smith spoke against and yielded to questions.

Rep. Baldasaro spoke against.

Rep. Eaton spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 103 NAYS 249

YEAS - 103 BELKNAP

Sylvia, Michael Vadney, Herbert

CARROLL

Buco, Thomas Ticehurst, Susan

CHESHIRE

Ames, Richard Berch, Paul Ley, Douglas Mann, John

aul Bordenet, John phn Parkhurst, Henry Eaton, Daniel Pearson, William

COOS

Froburg, Alethea Thomas, Yvonne

GRAFTON

Bennett, Travis Ford, Susan Townsend, Charles Nordgren, Sharon

Brown, Rebecca

HILLSBOROUGH

Backus, Robert Cornell, Patricia Edwards, Elizabeth Gould, Linda Harvey, Suzanne Mangipudi, Latha Rosenwald, Cindy Snow, Kendall Williams, Kermit Beaulieu, Jane Cote, David Freitas, Mary Guerette, C. Lee Heath, Mary Murotake, David Rowe, Robert Souza, Kathleen Woodbury, David Booras, Efstathia Sullivan, Daniel Goley, Jeffrey Hansberry, Daniel Herbert, Christopher O'Neil, William Scontsas, Lisa Takesian, Charlene

Roberts, Carol DiSilvestro, Linda Gorman, Mary Hansen, Peter Leishman, Peter Palmer, Barry Shattuck, Gilman Vann, Ivy

MERRIMACK

Alicea, Caroletta Deloge, Helen Henle, Paul Kidder, David Rogers, Katherine Wheeler, Deborah Bartlett, Christy Doherty, David Frazer, June MacKay, James Saunderson, George Bradley, Paula Ebel, Karen Karrick, David Marple, Richard Schuett, Dianne Rice, Chip Gile, Mary Kenison, Linda Myler, Mel Wallner, Mary Jane

ROCKINGHAM

Allen, Mary Francese, Paula McKinney, Betsy Simpson, Alexis Berrien, Skip Ward, Gerald Gordon, Pamela

Cushing, Robert Heffron, Frank Pantelakos, Laura Fesh, Robert McBeath, Rebecca Sherman, Thomas

STRAFFORD

Bickford, David Smith, Marjorie Stevens, Audrey

DiSesa, Len Schmidt, Peter Treleaven, Susan Jones, Laura Southworth, Thomas Wall, Janet Ward, Kenneth Spang, Judith

SULLIVAN

Cloutier, John Oxenham, Lee Gagnon, Raymond

Gottling, Suzanne

O'Hearne, Andrew

NAYS - 249 BELKNAP

DELENINA Juecall Tiltor

Aldrich, Glen Fisher, Robert Hurt, George Fraser, Valerie Dumais, Russell Flanders, Donald LeBreche, Shari Varney, Peter Tilton, Franklin Gallagher, Brian Russell, David

Fields, Dennis Howard, Raymond Spanos, Peter

CARROLL

Avellani, Lino Butler, Edward Chandler, Gene Comeau, Ed Cordelli, Glenn Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen

CHESHIRE

Abbott, Michael Tilton, Benjamin Chase, Cynthia Emerson, Susan
Johnsen, Gladys Hunt, John Roberts, Kris McConnell, James
Phillips, Larry Robertson, Timothy Sad, Tara Shepardson, Marjorie
Sterling, Franklin Tatro, Bruce Weber, Lucy

COOS

Fothergill, John Moynihan, Wayne Rappaport, Laurence Richardson, Herbert Rideout, Leon Theberge, Robert Tholl, John

GRAFTON

Abel, Richard Almy, Susan Bailey, Brad Cooney, Mary Johnson, Eric Brown, Duane Darrow, Stephen Hennessey, Erin Ingbretson, Paul Higgins, Patricia Hull, Robert Gionet, Edmond Shackett, Jeffrey Ladd. Rick Maes, Kevin Massimilla, Linda White, Andrew Sykes, George Smith, Suzanne

HILLSBOROUGH

Ammon, Keith Adams, Christopher Barry, Richard Biggie, Barbara Byron, Frank Christensen, Chris Danielson, David Donovan, Daniel Estevez, Eric Ferreira, Elizabeth Haefner, Robert Gagne, Larry Hopper, Gary Hogan, Edith Rice, Kimberly Jeudy, Jean Ober, Lynne Lachance, Joseph Manley, Jonathan Marston, Dick McNamara, Richard McLean, Mark Ohm, Bill Notter, Jeanine Parison, James Pellegrino, Anthony Porter, Marjorie Proulx, Mark Rouillard, Claire Walsh, Robert Seidel, Carl Simmons, Tammy Ulery, Jordan Twombly, Timothy

Wolf, Terry

Griffin, Barbara Boehm, Ralph Coffey, James Eastman, Eric Flanagan, Jack Halstead, Carolyn Belanger, James Kurk, Neal LeBrun, Donald Martel, Andre Moore, Josh Brown, Pamela Peterson, Ken Christie, Rick Sanborn, Laurie Stepanek, Stephen Sullivan, Victoria

Balcom, John Burt, John Cohen, Alan Edelblut, Frank Forest, Armand Hinch, Richard Jack, Martin Christiansen, Lars O'Brien, Michael McClarren, Donald Murphy, Keith McCarthy, Peggy Pierce, David Ober, Russell Schleien, Eric Straight, Phillip O'Brien, William

MERRIMACK

Turcotte, Alan French, Barbara
Carson, Clyde Long, Douglas
Hess, David Hill, Gregory
Kotowski, Frank Kuch, Bill
Moffett, Howard Parent, Jason
Seaworth, Brian Shurtleff, Stephen

Zaricki, Nick

Brewster, Michael McGuire, Carol McGuire, Dan French, Harold Hoell, J.R. Horn, Werner Luneau, David Martin, John Patten, Dick Ratzki, Mario Walsh, Thomas

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Bush, Carol
Chirichiello, Brian
DeSimone, Debra
Elliott, Robert
Abrami, Patrick
Barnes, Arthur
Cahill, Michael
Cook, Allen
Devine, James
Elmerick, J. Tracy

Abramson, Max Bates, David Cali-Pitts, Jacqueline Thomas, Douglas DiFranco, Debbie Chase, Francis Azarian, Gary Borden, David Cardon, G. Thomas Dean-Bailey, Yvonne Duarte, Joe Ferrante, Beverly

Friel, William	Gannon, William	Green, Dennis	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Tilton, Rio	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	Vose, Michael
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Graham, Robert	Gray, James
Groen, Warren	Hannon, Joseph	Horrigan, Timothy	Kaczynski, Thomas
Kaen, Naida	Turcotte, Leonard	Leeman, Don	Mullen, John
Pitre Joseph	Wuelner Kurt	,	, , , , , , , , , , , , , , , , , , , ,

SULLIVAN

Schmidt, Andrew	Converse, Larry	Grenier, James	Irwin, Virginia
Laware, Thomas	Rollins, Skip	Smith, Steven	
and the majority of	ammittae report failed		

and the majority committee report failed.

Rep. Umberger moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (1089h).

Minority Amendment (1089h)

Amend RSA 261-C:2, III as inserted by section 1 of the bill by replacing it with the following:

III. The state office of veterans services may issue decals to eligible veterans and shall collect a fee of \$10 for the decal. Revenue collected under this paragraph shall be restricted revenue to the office of veterans services and shall not lapse.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect July 1, 2017.

Rep. Umberger spoke in favor.

Minority committee amendment adopted.

Minority committee report adopted and ordered to third reading.

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors. **OUGHT TO PASS WITH AMENDMENT**.

Rep. J. Tracy Emerick for Finance. This bill authorizes energy infrastructure development and designates energy infrastructure corridors, which require the Department of Transportation (DOT) to adopt an updated and revised utility accommodation manual that is approved by the federal government. This bill will allow developers to apply to use certain road right-of-ways as corridors for energy infrastructure. Should a developer desire to do this, an application must be submitted and within 30 days the DOT must verify if the submitted plan is complete or not. Once the plan is complete the DOT has 60 days to complete its conceptual study of the plan and issue a report, which is given both to the developer and the site evaluation committee [SEC]. Should the SEC approve the plan, then the developer will pay a lease fee to the DOT. According to the department, such lease fees may only be used for certain road construction projects. However, before developers may use the road right-of- ways, the DOT must revise its Utility Accommodation Manual. This manual must be approved by the federal government and placed on file both in the state and with the federal government before any developer may apply to use road right-of-ways. Therefore, a section of this bill requires the DOT to update this manual, which can be done at no additional cost to the DOT. After consultation with the DOT, the remainder of the bill will take effect after that manual is revised, updated, approved by the federal government and placed on file. Should the federal government not approve the use of these road right-of-ways for energy infrastructure development, this bill will not take effect. The costs and revenues associated with any additional corridor use is indeterminable. Vote 23-3.

Amendment (1080h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The legislature recognizes that high and volatile energy costs increasingly threaten the competitiveness of New Hampshire's businesses and industries and the financial resources of its electric ratepayers, and that new low-cost sources of energy are needed in order to stabilize and lower wholesale and retail electric rates in New Hampshire and New England. At the same time, as the state's citizens have become more aware of the value, to themselves and others, of New Hampshire's scenic natural landscapes, clean air, and unspoiled environment, it has become increasingly difficult to site and develop large-scale aboveground energy transmission lines from lower-cost neighboring regions. Such projects often face unacceptably high development costs, regulatory delays, and public opposition resulting from their potential adverse impacts on the state's most scenic natural landscapes, the value of adjoining and nearby private properties, and the comfort, health, and safety of adjacent homeowners. The general court therefore finds that it is in the public interest for the state to designate certain "energy infrastructure corridors" along, within, and under major state-owned transportation routes, for the underground collocation of major energy transmission lines necessary to promote balanced economic growth, reduce or mitigate high energy prices, and contribute to a cleaner and more natural environment, while providing the state highway fund with market-based revenues from private energy transmission companies in return for the use of such designated energy infrastructure corridors. The general court intends that the energy infrastructure corridors designated under this act are simply options for the siting of energy infrastructure and nothing in this act shall be construed as limiting the historic accommodation of utilities in all public rights of way.

2 New Chapter; Energy Infrastructure Development and Corridors. Amend RSA by inserting after chapter 162-Q the following new chapter:

CHAPTER 162-R

ENERGY INFRASTRUCTURE DEVELOPMENT AND CORRIDORS

162-R:1 Definitions.

I. "Energy infrastructure" includes high voltage DC or AC electric transmission facilities of 115 kV or greater, natural gas transmission lines, carbon dioxide pipelines, petroleum pipelines, and other energy transport pipelines or conduits.

II. "Energy infrastructure corridor" means an existing state-owned transportation right-of-way

within which energy infrastructure could potentially be sited underground.

III. "Developer" means a person or legal entity that can demonstrate to the state the financial, technical, and managerial capability to engage in the development and construction of energy infrastructure.

IV. "Project" means the development or construction of energy infrastructure subject to site evaluation committee jurisdiction under RSA 162-H within an energy infrastructure corridor.

V. "Site evaluation committee" means the site evaluation committee established in RSA 162-H:3.

VI. "State-owned transportation right-of-way" means a highway or railroad right-of-way on land owned in fee by the state or a state agency or state authority.

VII. "Sufferance" means that the owner of energy infrastructure has no real property interest in the right-of-way, but merely occupies and uses the public right-of-way subject to terms and conditions established by the New Hampshire department of transportation.

162-R:2 Energy Infrastructure Corridors Designated.

I. In accordance with RSA 236:18, the state has the exclusive rights, insofar as they do not conflict with any federal statute, rule, or regulation, to build, lease, or utilize for any public purpose the space adjacent to (excluding the median) and below the toll highways and the interstate system highways within the state.

II. The following areas, owned by the state, are designated as energy infrastructure corridors:

(a) I-89 (between the intersection of I-93 and the Vermont border).

(b) I-93 (between the Massachusetts border and the Vermont border, excepting approximately 1.7 miles located in the White Mountain National Forest north of Franconia Notch state park).

- (c) I-95 (between the Massachusetts border and the Maine border).
- (d) NH Route 101 (between the intersection of I-93 and the intersection of I-95).
- III. Nothing in this chapter shall require a developer of energy infrastructure to site or propose to site energy infrastructure, or any part thereof, within an energy infrastructure corridor designated under this chapter.

162-R:3 Energy Infrastructure Proposal Application Process.

I.(a) To initiate the application process, a developer may file with the department of transportation, a request for a preliminary conceptual feasibility study, including such project-specific information as the department may specify in accordance with the department's Utility Accommodation Manual.

- (b) Within 30 days after such study request is filed, the department shall provide written notice to the developer, with a copy to the site evaluation committee, either accepting such study request as sufficiently complete to allow the department to evaluate the conceptual feasibility of the proposal and submit its recommendation to the committee, or specifying the additional information needed to complete its evaluation.
- (c) Upon notice to the developer that the study request is deemed sufficiently complete for its purposes under subparagraph (a), the department shall have 60 days to determine whether and to what extent the proposed project route would be conceptually feasible within the applicable state-owned transportation right-of-way or rights-of-way, based on department standards and regulations.
- (d) Within 60 days after notice to the developer that its submission has been deemed complete, the department shall submit its report on the conceptual feasibility of the project to the developer and the site evaluation committee, specifying any concerns or issues it believes the committee should consider in its review of the application.
- II. The committee shall determine whether the application is complete, and shall proceed to review a completed application under RSA 162-H.
 - 162-R:4 Energy Infrastructure Proposal; Decision Criteria.
- I. The site evaluation committee shall evaluate and render a decision on an energy infrastructure proposal which chooses to use one or more designated energy infrastructure corridors pursuant to the provisions of this chapter.
- II. The site evaluation committee may approve an energy infrastructure proposal for a project to be sited in whole or in part within one or more energy infrastructure corridors only if it finds that the project meets the criteria set forth in RSA 162-H.
- 162-R:5 Use of Energy Infrastructure Corridors; Requirements. Development and construction of energy infrastructure within an energy infrastructure corridor are governed by this section. No person shall engage in development or construction of energy infrastructure within an energy infrastructure corridor, unless such person is in compliance with applicable state and federal laws, rules, and regulations. Any development, construction, maintenance or use of energy infrastructure within an energy infrastructure corridor shall be at the sufferance of the department of transportation. All costs associated with installation, alteration, relocation (whether or not required by the department), and/or protection of energy infrastructure within an energy infrastructure corridor shall be the responsibility of the energy infrastructure developer or owner.

162-R:6 Revenues.

- I. The department of transportation, right-of-way (ROW) appraisal bureau section, shall identify an initial estimate of the range of value for the use of state-owned land or assets within a designated energy infrastructure corridor and negotiate a value for such use with the developer. The actual and final value shall be subject to approval by the long range capital planning and utilization committee.
- II. All revenues generated from the use of state-owned land or assets within energy infrastructure corridors designated under this chapter shall be deposited in the highway fund for use solely in state transportation programs funded in whole or in part by the Federal Highway Administration or other federal agencies and included in the state's 10-year transportation plan. Nothing in this section shall be deemed to affect the responsibility of a developer to pay separately to the site evaluation committee the fees required under RSA 162-H.
- 3 Updated and Revised Utility Accommodation Manual. The department of transportation shall update and revise its utility accommodation manual in order to provide for the optional use of the energy infrastructure corridors designated pursuant to RSA 162-R:2. The updated and revised manual shall be approved by the Federal Highway Administration no later than June 1, 2017.

4 Contingency. If the updated and revised utility accommodation manual required by section 3 of this act is adopted and approved by June 1, 2017, sections 1 and 2 of this act shall take effect July 1, 2017. If the updated and revised utility accommodation manual is not adopted and approved by June 1, 2017, sections 1 and 2 of this act shall not take effect. The commissioner of the department of transportation shall certify the date of approval of the manual to the secretary of state and the director of legislative services.

5 Effective Date.

- I. Sections 1 and 2 of this act shall take effect as provided in section 4 of this act.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes procedures for approval of proposals for energy infrastructure development and designates energy infrastructure corridors. This bill is contingent upon the adoption and approval of an updated and revised department of transportation utility accommodation manual. Committee amendment adopted.

Committee report adopted and ordered to third reading.

COMMUNICATION

March 23, 2016

Mr. Paul Smith Clerk of the House of Representatives State House Concord. NH 03301

Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham County District No. 21

Michael A. Edgar, d, Hampton (7 Ann's Terrace) 03842

Sincerely,

William M. Gardner, Secretary of State

REGULAR CALENDAR PART I CONT'D

HB 636-FN, relative to forfeiture of property. OUGHT TO PASS WITH AMENDMENT.

Rep. Lynne Ober for Finance. This bill has three parts. A new section sets criteria that identifies property subject to criminal forfeiture. Another new section provides protection for an innocent owner whose property was seized. There is also a new section outlining procedures for disposition of unclaimed property and proceeds. Finally, the bill repeals the drug forfeiture fund at the end of the biennium, which allows the affected agencies to budget appropriately. Vote 18-7.

Amendment (0885H)

Amend the bill by inserting after section 6 the following and renumbering the original sections 7-8 to read as 8-9, respectively:

7 New Section; Budget and Appropriations; Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. Amend RSA 9 by inserting after

section 4-e the following new section:

9:4-f Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. The department of justice shall include in its biennial operating budget request made pursuant to RSA 9:4, an appropriation to pay a portion of the costs of local, county, and state drug related investigations, as well as drug control law enforcement programs within New Hampshire. Such appropriation also may be used to pay extraordinary costs of local, county, and state drug prosecutions and trial expenses. Law enforcement agencies may apply to the department of justice for grants from the amount appropriated. Of the annual appropriation, \$5,000 shall be deposited into a special non-lapsing account established within the office of the state treasurer for the department of health and human services to fund drug education, prevention, and treatment services. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a summary of the grants provided to law enforcement agencies under this section for the preceding fiscal year.

Amend the bill by replacing section 9 with the following:

9 Effective Date.

I. Section 7 of this act shall take effect July 1, 2016.

II. Sections 1 and 2 of this act shall take effect January 1, 2017.

III. The remainder of this act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill:

I. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.

II. Requires the state to deposit proceeds from forfeited property in the general fund and repeals the drug forfeiture fund.

III. Directs the attorney general to include in the department of justice's budget request an appropriation for the cost of local, county, and state drug related enforcement actions.

IV. Establishes a special non-lapsing account for the department of health and human services to fund drug education, prevention, and treatment programs.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Peter Spanos for Finance. This bill authorizes additional part-time positions at the Department of Administrative Services (DAS). Since 2006 staffing for DAS has been reduced by nearly 50 positions, and yet work has been added to this department via legislative bill passage. The legislature passed a requirement for work force planning within state agencies because nearly 50 percent of the state's workforce will be eligible to retire within 3 years, but no staffing was included when that bill passed. One of the three positions is a part-time workforce coordinator who will coordinate this planning. Another is a part-time payroll staff member. Recently there have been payroll issues that cost more than adding this part-time staff member to deal with them. The third position will add one part-time position to DAS Risk Management staff, which handles all insurance issues for the growing number of retirees who are eligible for retiree health care. Because the state is self-insured for health care, the Risk Management staff basically runs an insurance company. All state employee and retiree health issues are dealt with in the group. With more than 12,000 retirees and the expected rapid retirement of much of the state staff, this position is needed. Vote 25-0.

Committee report adopted and ordered to third reading.

HB 1531, permitting the legislature to open the state house on weekends. OUGHT TO PASS.

Rep. Peter Leishman for Finance. This bill would allow the legislature to enter into a memorandum of understanding with a private entity such as the Concord Chamber of Commerce, that would allow the State House to be open on agreed upon Saturdays from Memorial Day to Columbus Day. The memorandum would address issues including security, staffing, hours of operation, janitorial services and areas open for public viewing. In 2001, a legislative study committee charged with studying opening the State House to the public on weekends determined the costs would range from \$366,000 for 52 weekends to \$41,000 for 17 weekends. No fiscal note was provided to the committee due to a number of different variables, including that all expenses incurred would be borne by the private entity(s). No general funds are appropriated. Vote 22-4. Committee report adopted and ordered to third reading.

HB 1551-FN-A, establishing the John and Molly Stark scholarship program and making an appropriation therefor. REFER FOR INTERIM STUDY.

Rep. Kenneth Weyler for Finance. This scholarship program is a great concept to help the top 20% of New Hampshire high school graduates attend higher education institutions in the state. However, 80% of the top grads already attend in-state. Moreover, there was no plan to fund the possible \$20 million that this could cost within three years. The sponsor suggested that additional study would be necessary to develop such a plan. The committee agreed. Vote 16-10. Committee report adopted.

HB 1553-FN, transferring the administration of the telecommunications accounting unit. OUGHT TO PASS.

Rep. Peter Spanos for Finance. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology (DoIT) at the request of both departments. In addition, it provides one-time funding to ensure that the billing between state agencies can be done electronically, resulting in a cost savings of \$30,000 in the first year and additional cost savings in the following years. As a result, one position was eliminated from this accounting unit. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making DoIT a more fitting place for these functions to reside. Vote 25-0. Committee report adopted and ordered to third reading.

SB 238-FN, relative to the workers' compensation appeals board. OUGHT TO PASS.

Rep. David Danielson for Finance. RSA 281-A:42-a established the Compensation Appeals Board membership and compensation. SB 238-FN modifies the size of the membership pool and sets a percentage of board representation from the pool (1/3 employees, 1/3 employers, and 1/3 neutral attorneys). Compensation, unchanged from 1991, is increased for the chair to \$400 per diem, up from \$200, and members will be paid \$250 per diem, up from \$150. Because of the effective size reduction of appeal panels and because this self-funding board will not receive money from the general fund, the committee recommends passage of this bill. Vote 24-1.

Committee report adopted and ordered to third reading.

Rep. Baroody declared a conflict of interest and did not participate.

HB 1243-FN-L, relative to storm water or sewage penalties. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kurt Wuelper for the Majority of Judiciary. This bill enables municipalities to create a schedule of requirements and penalties (consistent with current law) to ensure proper operation and maintenance of sewage/storm water systems. The bill also provides for municipalities to recover costs associated with enforcement of local requirements. The bill contains language (identical to that of RSA 676:17 for planning/zoning) to allow the civil penalty actions to remain in circuit court and to allow the court to require a performance bond. The majority believes that the schedules would add transparency to the process and allow municipalities to distinguish between individuals and businesses when creating them. Vote 11-5.

Rep. Claire Rouillard for the Minority of Judiciary. This bill sets fines and civil penalties for violations of improper maintenance of sewage and storm water systems. It does not distinguish between individual homeowners' septic systems or commercial septic discharge into public waterways. The penalty established reads "not to exceed \$10,000 per day and each day a violation continues is a separate offense." This could be devastating to a homeowner. Also, this bill awards attorney fees only to the municipality if it prevails in the litigation and not to the homeowner if he or she prevails. This bill provides that a municipality can request the homeowner/defendant post a "bond," for projected expenses, which is generally posted by the plaintiff, not the defendant. Lastly, enhanced civil penalties may be assessed against the homeowner for any additional funds paid by the municipality, over and above all out-of-pocket expenses, costs, fees, etc. The minority of the committee felt this bill, as worded, was inequitable.

MOTION TO LAY ON THE TABLE

Rep. Rowe moved that **HB 1243-FN-L**, relative to storm water or sewage penalties, be laid on the table. Motion adopted.

REGULAR CALENDAR PART I CONT'D

HB 602-FN, relative to the use of drones. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill regulates the use of drones by government and individuals. It establishes criminal penalties and civil remedies for violation of the law. It is the opinion of the majority of the committee that the penalties are not equitable. Under RSA 644-A:9, II, a government actor who violates its provisions will have \$10,000 fined against the agency that said employee works under. An individual not working under state direction or a private citizen who violates its provisions will pay up to a \$1,000 fine and be guilty of class A

misdemeanor. The private citizen pays out of pocket and the state actor pays nothing. It is also the majority position that the federal preemption section of RSA 644-A:7 which reads, "If federal law preempts any provision of this chapter, that provision shall not apply," gives a clear example of the extent of the loss of our 4th Amendment rights under the Patriot Act. Federal government agents would be able to preempt anything that this legislation attempts to protect. Vote 8-7.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority of the committee recognizes all the important work that has been done over the past couple of years to shape sound public policy on the use of drones for the purpose of commerce, law enforcement, government and individual use, and supports the passage of an amended version of this bill. The minority has two concerns about the current version of the bill that made it difficult to garner majority support for an Ought to Pass motion. The minority is opposed to the idea of weaponizing drones and opposed to permitting law enforcement to use drones to fire tear gas to quell civil disorder. Currently, Maine and Virginia ban the use of weaponized aircraft (drones) by law enforcement and the minority believes that New Hampshire should have a similar policy. The minority is also concerned that the bill as presented did not contain an exemption for the New Hampshire National Guard to permit the use of drones for training purposes. The minority supports an amendment that removes the problem portions of the bill so that the House can pass a drone bill that builds upon the enormous body of work done by so many lawmakers and stakeholders to have a policy on drones/unmanned aircraft vehicles which meets the needs of the people of the State of New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cushing spoke against.

Rep. Burt spoke in favor.

Ferreira, Elizabeth

Hansberry, Daniel

Rice, Kimberly

Martel, Andre

Murotake, David

Rep. Hoell requested a roll call; sufficiently seconded.

Gorman, Mary

Hansen, Peter

Murphy, Keith

Christiansen, Lars

McClarren, Donald

YEAS 151 NAYS 211

YEAS - 151 BELKNAP

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Aldrich, Glen Gallagher, Brian Russell, David Vadney, Herbert	Dumais, Russell Howard, Raymond Spanos, Peter Varney, Peter	Fields, Dennis Hurt, George Sylvia, Michael	Fisher, Robert LeBreche, Shari Fraser, Valerie
	C	CARROLL	
Avellani, Lino Nelson, Bill	Buco, Thomas	Comeau, Ed	McCarthy, Frank
	C	HESHIRE	
Tilton, Benjamin McConnell, James Sterling, Franklin	Bordenet, John Parkhurst, Henry Tatro, Bruce	Hunt, John Robertson, Timothy	Mann, John Shepardson, Marjorie
		COOS	
Rideout, Leon	G	RAFTON	
Bailey, Brad Gionet, Edmond	Brown, Duane Hull, Robert	Hennessey, Erin Shackett, Jeffrey	Johnson, Eric
	HILI	SBOROUGH	
Adams, Christopher Burt, John Eastman, Eric	Ammon, Keith Roberts, Carol Edelblut, Frank	Biggie, Barbara Coffey, James Edwards, Elizabeth	Boehm, Ralph Donovan, Daniel Estevez, Eric

Gould, Linda

Hogan, Edith

McLean, Mark

Notter, Jeanine

Lachance, Joseph

Halstead, Carolyn

Infantine, William

Marston, Dick

Moore, Josh

Ohm, Bill

White, Andrew

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Parison, James	Pellegrino, Anthony	Proulx, Mark	Christie, Rick
Sweeney, Shawn	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Shattuck, Gilman	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Takesian, Charlene	Twombly, Timothy	Sullivan, Victoria
O'Brien, William	Williams, Kermit	Zaricki, Nick	
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Turcotte, Alan	Brewster, Michael	McGuire, Carol	Carson, Clyde
Long, Douglas	McGuire, Dan	French, Harold	Hill, Gregory
Hoell, J.R.	Kidder, David	Marple, Richard	Martin, John
Parent, Jason	Patten, Dick	Seaworth, Brian	Wheeler, Deborah
,		KINGHAM	
Abromoon May	Allen, Mary	Baldasaro, Alfred	Bates, David
Abramson, Max	•	Chirichiello, Brian	Cook, Allen
Bush, Carol	Cali-Pitts, Jacqueline	•	
Thomas, Douglas	Dean-Bailey, Yvonne	Duarte, Joe	Chase, Francis
Ferrante, Beverly	Gannon, William	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter
Lundgren, David	McKinney, Betsy	McMahon, Charles	Osborne, Jason
Gordon, Pamela	Peckham, Michele	Prudhomme-O'Brien, Katherine	Gordon, Richard
Schroadter, Adam	Spillane, James	True, Chris	Tucker, Pamela
Vose, Michael			
	ST	RAFFORD	
Berube, Roger	Gardner, Janice	Groen, Warren	Hannon, Joseph
Horrigan, Timothy	Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard
Leeman, Don	Mullen, John	Pitre, Joseph	Southworth, Thomas
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Laware, Thomas			
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Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	,		
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Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Johnsen, Gladys	Roberts, Kris
Ley, Douglas	Pearson, William	Phillips, Larry	Sad, Tara
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Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Darrow, Stephen	Ford, Susan	Higgins, Patricia	Ingbretson, Paul
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Brown, Rebecca	Smith, Suzanne	Sykes, George	Townsend, Charles
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HILLSBOROUGH

Griffin, Barbara Backus, Robert Barry, Richard Beaulieu, Jane Byron, Frank Christensen, Chris Cote, David Sullivan, Daniel Flanagan, Jack Forest, Armand Goley, Jeffrey Guerette, C. Lee Heath, Mary Herbert, Christopher Belanger, James Jack, Martin Ober, Lynne LeBrun, Donald Mangipudi, Latha Manley, Jonathan Brown, Pamela Long, Patrick Peterson, Ken Pierce, David Walsh, Robert Rosenwald, Cindy Snow, Kendall Straight, Phillip Wolf, Terry Woodbury, David

Balcom, John Booras, Efstathia Cohen, Alan Danielson, David Freitas, Mary Haefner, Robert Hinch, Richard Jeudy, Jean Leishman, Peter McNamara, Richard McCarthy, Peggy Porter, Marjorie Rouillard, Claire Ulery, Jordan Baroody, Benjamin Bouldin, Amanda Cornell, Patricia DiSilvestro, Linda Gagne, Larry Harvey, Suzanne Hopper, Gary Kurk, Neal O'Brien, Michael O'Neil, William Palmer, Barry Ober, Russell Rowe, Robert Vann, Ivy

MERRIMACK

Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kuch, Bill Myler, Mel Schuett, Dianne

French, Barbara Deloge, Helen Henle, Paul Karrick, David Luneau, David Ratzki, Mario Shurtleff, Stephen Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Rogers, Katherine Walsh, Thomas

Bradley, Paula Ebel, Karen Horn, Werner Kotowski, Frank Moffett, Howard Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Berrien, Skip Cushing, Robert Edgar, Michael Francese, Paula Hagan, Joseph Sweeney, Joe Griffin, Mary McBeath, Rebecca Packard, Sherman Sherman, Thomas Welch, David Abrami, Patrick Borden, David DeSimone, Debra Elliott, Robert Friel, William Heffron, Frank Ward, Joanne Major, Norman Milz, David Pantelakos, Laura Simpson, Alexis Weyler, Kenneth Azarian, Gary
Cahill, Michael
Devine, James
Emerick, J. Tracy
Ward, Gerald
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
Nigrello, Robert
Potucek, John
Sytek, John
Woitkun, Steven

Barnes, Arthur
Cardon, G. Thomas
DiFranco, Debbie
Fesh, Robert
Guthrie, Joseph
Introne, Robert
Lovejoy, Patricia
Matthews, Carolyn
O'Connor, John
Tilton, Rio
Webb, James

STRAFFORD

Baber, William Cilley, Jacalyn Ward, Kenneth Rollo, Deanna Treleaven, Susan Bickford, David DiSesa, Len Kaen, Naida Spang, Judith Wall, Janet Bixby, Peter Graham, Robert Smith, Marjorie Sprague, Dale

Burton, Wayne Gray, James Schmidt, Peter Stevens, Audrev

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Rollins, Skip Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond O'Hearne, Andrew

and the majority committee report failed.

Rep. Cushing moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (1047h).

Minority Amendment (1047h)

Amend RSA 644-A:2 as inserted by section 1 of the bill by deleting RSA 644-A:2, VI and renumbering the original RSA 644-A:2, VII-VIII to read as RSA 644-A:2, VI-VII, respectively.

Amend RSA 644-A:8 and RSA 644-A:9 as inserted by section 1 of the bill by replacing them with the following:

644-A:8 Applicability. The provisions of this chapter shall not apply to the New Hampshire

national guard in the conduct of its official duties.

644-A:9 Construction. This chapter shall be construed to provide the greatest possible protection of the privacy of the people of this state. Nothing in this chapter shall be construed to impose liability in connection with newsgathering activity.

644-A:10 Penalties.

I. A government employee or agent who knowingly violates RSA 644-A:2, other than the reporting requirements in 644-A:2, II(c) and 644-A:2, VII, shall be guilty of a misdemeanor. A government employee or agent who violates the reporting requirements in RSA 644-A:2, II(c) or 644-A:2, VII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

II. A government which violates RSA 644-A:2 may be subject to a civil penalty of up to \$10,000

which shall be deposited in the general fund of the state.

III. A person who suffers damages or injury caused by a government's use of a drone pursuant to this chapter may bring a civil action to recover actual damages which shall be limited to medical expenses, treatment, and rehabilitation, property damage, permanent physical impairment, court costs, and reasonable attorney's fees from the government. No claim for pain and suffering, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, or consortium, or other non-pecuniary losses shall be compensable under this chapter. This paragraph shall not be construed as a waiver of the sovereign immunity of the state.

IV. A person who violates RSA 644-A:3, I-VII shall be guilty of a misdemeanor.

V. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person who committed the violation of not less than \$1,000 and an award of reasonable attorney fees.

VI. In addition to any other remedies allowed by law, a person who willfully gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$1,000 and an award of reasonable attorney fees.

AMENDED ANALYSIS

This bill regulates the use of drones by government agencies and individuals and establishes criminal penalties and civil remedies for violations of the law.

Rep. Cushing spoke in favor.

Minority committee amendment adopted.

MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 602-FN**, relative to the use of drones, be laid on the table. Motion failed.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. Rep. Abramson requested a roll call; sufficiently seconded.

YEAS 251 NAYS 114

YEAS - 251 BELKNAP

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Fothergill, John Rappaport, Laurence Thomas. Yvonne Froburg, Alethea Richardson, Herbert Hatch, William Theberge, Robert Moynihan, Wayne Tholl, John

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Abel, Richard Darrow, Stephen Ingbretson, Paul Nordgren, Sharon Townsend, Charles Almy, Susan Ford, Susan Ladd, Rick Brown, Rebecca White, Andrew Bennett, Travis Gionet, Edmond Maes, Kevin Smith, Suzanne

Cooney, Mary Higgins, Patricia Massimilla, Linda Sykes, George

HILLSBOROUGH

Griffin, Barbara Barry, Richard Bouldin, Amanda Cohen, Alan Danielson, David Forest, Armand Gorman, Mary Hansberry, Daniel Hinch, Richard Jack, Martin Ober, Lynne Mangipudi, Latha Brown, Pameia Pellegrino, Anthony Ober, Russell Rowe, Robert Straight, Phillip Williams, Kermit

Backus, Robert Beaulieu, Jane Byron, Frank Cornell, Patricia DiSilvestro, Linda Freitas, Mary Gould, Linda Harvey, Suzanne Hopper, Gary Jeudy, Jean LeBrun, Donald Manley, Jonathan Long, Patrick Peterson, Ken Walsh, Robert Sweeney, Shawn Takesian, Charlene Wolf, Terry

Balcom, John Boehm, Ralph Christensen, Chris Cote, David Donovan, Daniel Gagne, Larry Guerette, C. Lee Heath, Mary Infantine, William Kurk, Neal Leishman, Peter McNamara, Richard McCarthy, Peggy Pierce, David Rosenwald, Cindy Shattuck, Gilman Ulery, Jordan Woodbury, David

Baroody, Benjamin Booras, Efstathia Roberts, Carol Sullivan, Daniel Flanagan, Jack Goley, Jeffrey Haefner, Robert Herbert, Christopher Belanger, James Christiansen, Lars O'Brien, Michael O'Neil, William Palmer, Barry Porter, Marjorie Rouillard, Claire Snow, Kendall Vann, Ivv

MERRIMACK

Alicea, Caroletta Rice, Chip Doherty, David Hess, David Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen French, Barbara Carson, Clyde Ebel, Karen Horn, Werner Kotowski, Frank Moffett, Howard Rogers, Katherine Walsh, Thomas Bartlett, Christy McGuire, Dan Gile, Mary Frazer, June Kuch, Bill Myler, Mel Saunderson, George Wallner, Mary Jane Bradley, Paula Deloge, Helen Henle, Paul Karrick, David Luneau, David Patten, Dick Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Berrien, Skip Cardon, G. Thomas Devine, James Emerick, J. Tracy Ward, Gerald Hoelzel, Kathleen Katsakiores, Phyllis Manning, John Milz, David Packard, Sherman Sherman, Thomas Welch, David

Abrami, Patrick Borden, David Chirichiello, Brian DiFranco, Debbie Fesh, Robert Guthrie, Joseph Introne, Robert Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Simpson, Alexis Weyler, Kenneth

Azarian, Gary
Cahill, Michael
Cushing, Robert
Edgar, Michael
Francese, Paula
Hagan, Joseph
Sweeney, Joe
Griffin, Mary
McBeath, Rebecca
O'Connor, John
Potucek, John
Sytek, John
Woitkun, Steven

Barnes, Arthur
Cali-Pitts, Jacqueline
DeSimone, Debra
Elliott, Robert
Friel, William
Heffron, Frank
Ward, Joanne
Major, Norman
McKinney, Betsy
Gordon, Pamela
Tilton, Rio
Webb, James

Vose, Michael

STD AFFORD

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Baber, William Burton, Wayne Gardner, Janice Kaen, Naida Southworth, Thomas Treleaven, Susan	Berube, Roger Cheney, Catherine Graham, Robert Smith, Marjorie Spang, Judith Wall, Janet	Bickford, David Cilley, Jacalyn Gray, James Schmidt, Peter Sprague, Dale	Bixby, Peter DiSesa, Len Ward, Kenneth Rollo, Deanna Stevens, Audrey	
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Schmidt, Andrew Gottling, Suzanne O'Hearne, Andrew	Cloutier, John Grenier, James Oxenham, Lee	Converse, Larry Irwin, Virginia Rollins, Skip	Gagnon, Raymond Laware, Thomas Smith, Steven	
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Aldrich, Glen LeBreche, Shari Vadney, Herbert	Fisher, Robert Spanos, Peter Varney, Peter	Howard, Raymond Sylvia, Michael	Hurt, George Fraser, Valerie	
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Bailey, Brad Hull, Robert	Brown, Duane Shackett, Jeffrey	Hennessey, Erin	Johnson, Eric	
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Adams, Christopher	Ammon, Keith	Biggie, Barbara	Burt, John	
Coffey, James	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	
Estevez, Eric	Ferreira, Elizabeth	Halstead, Carolyn	Hansen, Peter	
Hogan, Edith	Rice, Kimberly	Lachance, Joseph	Marston, Dick	
Martel, Andre	McClarren, Donald	McLean, Mark	Moore, Josh	
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill	
Parison, James	Proulx, Mark	Christie, Rick	Sanborn, Laurie Simmons, Tammy	
Schleien, Eric Souza, Kathleen	Scontsas, Lisa Stepanek, Stephen	Seidel, Carl Twombly, Timothy	Sullivan, Victoria	
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French, Harold	Hill, Gregory	Hoell, J.R.	Kidder, David	
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian	
ROCKINGHAM				
Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David	
Bush, Carol	Cook, Allen	Thomas, Douglas	Dean-Bailey, Yvonne	
Duarte, Joe	Chase, Francis	Ferrante, Beverly	Gannon, William	
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	
Kappler, Lawrence	Kolodziej, Walter	Lundgren, David	McMahon, Charles	
Osborne, Jason Schroadter, Adam	Peckham, Michele Spillane, James	Prudhomme-O'Brien, Katherine True, Chris	Gordon, Richard Tucker, Pamela	

STRAFFORD

DeLemus, Susan Groen, Warren Hannon, Joseph Horrigan, Timothy Jones, Laura Kaczynski, Thomas Turcotte, Leonard Leeman, Don

Mullen, John Pitre, Joseph Wuelper, Kurt

and the minority committee report was adopted and ordered to third reading.

HB 1681-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs. **WITHOUT RECOMMENDATION**.

Statement in support of Ought to Pass: The research shows conclusive evidence that increased syringe access and exchange programs can significantly decrease the harms to public safety and decrease the incidence of dangerous infectious disease, such as hepatitis C, HIV and other bloodborne diseases. One of the biggest barriers to safe disposal of dirty needles is the criminal penalty for having residual/non-usable amounts in a needle or syringe. This has been shown to not increase intravenous drug use, nor has it been shown to increase used syringes found in public. This potentially cost and life saving legislation will enable a stronger relationship between health care workers and law enforcement.

Rep. John Burt

Statement in support of Inexpedient to Legislate: The bill opens with the premise that by eliminating the penalty for possession of needles and syringes with an unusable quantity of a drug, it will automatically result in used needles that are discarded in parks, playgrounds, streets, and other numerous places to magically disappear and be disposed of in a safe and proper manner. Unfortunately, that is just not the case. Addicts will continue to discard used needles and reuse dirty needles even without penalty. The definition of "unusable quantity" is listed nowhere in law and it is open to interpretation - is it a drop, or half a needle-full, or a partial syringe? Additionally, removing the penalty and preventing law enforcement from using residual amounts contained in syringes as probable cause to obtain a search warrant may result in offenders evading the law and would otherwise result in sizeable quantities of illicit drugs being discovered and dealers evading arrest. Much of the discussion centered on a needle take-back program that would reduce the incidence of the spread of hepatitis C, AIDS, and other bloodborne diseases. That is a laudable desire. Unfortunately, the bill does none of that, instead it just removes the penalty. Thus, is addressing only half of the problem, not making it better, but only hoping that things will get better? We would be far better off in working to create a needle exchange program with the attendant penalty reduction or elimination instead of passing a flawed bill and suffering the consequences.

Rep. John Tholl

Rep. Burt moved Ought to Pass.

Rep. Tholl spoke against.

Rep. Hannon spoke in favor and yielded to questions.

On a division vote, with 272 members having voted in the affirmative, and 86 in the negative, the motion of Ought to Pass was adopted and ordered to third reading.

REGULAR CALENDAR - PART II

HB 1120, relative to teacher qualifications at charter schools. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Ralph Boehm for the Majority of Education. This bill mandates that all teachers at a charter school must have a valid NH teaching credential or be "certified." Charter schools have different requirements and only 50% must be certified. This bill would remove the ability of school administrators to consider qualified non-traditional candidates who may bring a valuable and diverse perspective to the teaching profession. Also, it is often difficult to find certified STEM field teachers while a large pool of industry STEM experts without certification are available who could potentially do a better job than a candidate with an arbitrary certificate. Charter schools are also innovators in teaching, obtaining teachers from industry, retired teachers, etc. Having all teachers "certified" does nothing for accountability. Charter schools have the best accountability; parents may remove their child if the school is not meeting their needs, unlike traditional public school. This bill is not needed. Vote 13-4.

Rep. Deanna Rollo for the Minority of Education. Currently we have two different standards regarding our public school teachers. All of our teachers in our traditional public schools have to be certified, however in our public charter schools only 50% of the teaching staff has to be

Hinch, Richard

Kurk, Neal

Belanger, James

LeBrun, Donald

Murphy, Keith

Palmer, Barry

Pierce, David

Rouillard, Claire

Scontsas, Lisa

McClarren, Donald

Hogan, Edith

Jack, Martin

Christiansen, Lars

Leishman, Peter

McLean, Mark

Notter, Jeanine

Parison, James

Proulx, Mark

Rowe, Robert

Seidel, Carl

certified, the remaining only need 3 years of teaching experience. This bill would require that all our public school teachers be held to the same standard of certification. Currently parents without any teaching credentials teach in some of our private schools, according to our current law they would be eligible to teach in our public charter schools after 3 years. We believe this is not in the best interest of our public charter schoolchildren.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Rollo requested a roll call; sufficiently seconded.

YEAS 267 NAYS 96

YEAS - 267 BELKNAP

	-	2110 20.	
	B	BELKNAP	
Aldrich, Glen Fisher, Robert Hurt, George Sylvia, Michael	Dumais, Russell Flanders, Donald LeBreche, Shari Fraser, Valerie	Tilton, Franklin Gallagher, Brian Russell, David Vadney, Herbert	Fields, Dennis Howard, Raymond Spanos, Peter Varney, Peter
	C	CARROLL	
Avellani, Lino Crawford, Karel Parker, Harold	Chandler, Gene McCarthy, Frank Schmidt, Stephen	Comeau, Ed McConkey, Mark Ticehurst, Susan	Cordelli, Glenn Nelson, Bill Umberger, Karen
	C	HESHIRE	
Ames, Richard Hunt, John Phillips, Larry	Tilton, Benjamin Roberts, Kris Robertson, Timothy	Bordenet, John Mann, John Shepardson, Marjorie	Emerson, Susan McConnell, James Sterling, Franklin
		COOS	
Fothergill, John Rideout, Leon	Froburg, Alethea Tholl, John	Rappaport, Laurence	Richardson, Herbert
	G	RAFTON	
Almy, Susan Hennessey, Erin Hull, Robert Brown, Rebecca	Bailey, Brad Johnson, Eric Ingbretson, Paul Shackett, Jeffrey	Brown, Duane Gionet, Edmond Ladd, Rick Smith, Suzanne	Darrow, Stephen Higgins, Patricia Massimilla, Linda
	HILI	LSBOROUGH	
Adams, Christopher Balcom, John Boehm, Ralph Christensen, Chris Donovan, Daniel Ferreira, Elizabeth	Ammon, Keith Barry, Richard Bouldin, Amanda Coffey, James Eastman, Eric Flanagan, Jack	Griffin, Barbara Beaulieu, Jane Burt, John Cohen, Alan Edwards, Elizabeth Freitas, Mary	Backus, Robert Biggie, Barbara Byron, Frank Danielson, David Estevez, Eric Gagne, Larry
Gargasz, Carolyn Halstead, Carolyn	Gould, Linda Hansen, Peter	Guerette, C. Lee Heath, Mary	Haefner, Robert Herbert, Christopher

Hopper, Gary

Jeudy, Jean

Ober, Lynne

Marston, Dick

Moore, Josh

Christie, Rick

Pellegrino, Anthony

Sweeney, Shawn

Simmons, Tammy

Ohm, Bill

Infantine, William

Rice, Kimberly Lachance, Joseph

Martel, Andre

Murotake, David

McCarthy, Peggy

Peterson, Ken

Ober, Russell

Schleien, Eric

Snow, Kendali

House Journal March 23, 2016 Souza, Kathleen Stepanek, Stephen Straight, Phillip Twombly, Timothy Sullivan, Victoria O'Brien, William Ulery, Jordan Vann, Ivy Woodbury, David Zaricki, Nick Williams, Kermit Wolf, Terry MERRIMACK Alicea, Caroletta Bartlett, Christy Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan Ebel, Karen Rice, Chip Henle, Paul Hess. David Hill, Gregory French, Harold Hoell, J.R. Horn, Werner Karrick, David Kenison, Linda Kidder, David Kotowski, Frank Kuch, Bill MacKay, James Marple, Richard Martin, John Moffett, Howard Parent, Jason Saunderson, George Seaworth, Brian Walsh, Thomas Wheeler, Deborah ROCKINGHAM Christie, Andrew Abrami, Patrick Abramson, Max Allen, Marv Azarian, Garv Baldasaro, Alfred Barnes, Arthur Bates, David Bush, Carol Cardon, G. Thomas Chirichiello, Brian Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne DeSimone, Debra Devine, James DiFranco, Debbie Duarte, Joe Edgar, Michael Elliott, Robert Chase, Francis Rice. Frederick Emerick, J. Tracy Ferrante, Beverly Fesh, Robert Gannon, William Green, Dennis Guthrie, Joseph Hagan, Joseph Harris, Jeffrey Heffron, Frank Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Itse, Daniel Sweeney, Joe Ward, Joanne Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Lovejoy, Patricia Lundgren, David Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Gordon, Richard Schroadter, Adam Tilton, Rio Sherman, Thomas Simpson, Alexis Spillane, James Sytek, John True, Chris Tucker, Pamela Vose, Michael Webb, James Welch, David Wevler, Kenneth Woitkun, Steven **STRAFFORD** Bickford, David Cheney, Catherine DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Turcotte, Leonard Leeman, Don Smith, Marjorie Mullen, John Wuelper, Kurt Pitre, Joseph Spang, Judith SULLIVAN Schmidt, Andrew Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas Oxenham, Lee Rollins, Skip Smith, Steven **NAYS - 96** CARROLL Buco, Thomas Butler, Edward CHESHIRE Abbott, Michael Berch, Paul Chase, Cynthia Eaton, Daniel Johnsen, Gladys Ley, Douglas Parkhurst, Henry Pearson, William Sad. Tara Tatro, Bruce Weber, Lucy COOS Hatch, William Thomas, Yvonne Moynihan, Wayne

GRAFTON

Ford, Susan

Townsend, Charles

Maes, Kevin

White, Andrew

Cooney, Mary

Sykes, George

Abel. Richard

Nordgren, Sharon

HILLSBOROUGH

Baroody, Benjamin	Booras, Efstathia	Roberts, Carol	Cornell, Patricia
Cote, David	Sullivan, Daniel	DiSilvestro, Linda	Forest, Armand
Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel	Harvey, Suzanne
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Neil, William	Brown, Pamela	Long, Patrick	Porter, Marjorie
Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman	Takesian, Charlene

MERRIMACK

Turcotte, Alan	French, Barbara	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Gile, Mary	Frazer, June
Luneau, David	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Francese, Paula	Friel, William	Ward, Gerald
McBeath, Rebecca	Gordon Pamela	Pantelakos Laura	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet		•	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	O'Hearne, Andrew
and the majority com	mittee report was ado	nted.	

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Ralph Boehm for the Majority of Education. This bill adds the following language to current law, "The statewide assessment results of a student, or the student's school district shall not be included as part of the student's transcript unless the student, if 18 years of age or older, or the student's parent or legal guardian if the student is under 18 years of age, consents." The statewide

assessment is an assessment of the schools and not the students. If the student is in a school that

has a low assessment, that should not be on the student record. The student has no control of that assessment. Vote 10-8.

Rep. Mary Heath for the Minority of Education. The minority finds that this bill amends RSA 193-C: 6 to prohibit the use of statewide assessment results of a student or the student's school district as part of the student's transcript. Currently state law remains silent on this issue and leaves the decision to local school boards. The minority feels that this decision should be made locally with the local school board, educators, parents and the community. At this time it is not the practice of local school districts to include such results on student transcripts unless requested by the student or family. This bill is unnecessary and would dictate and possibly impede local reporting practices.

The question being adoption of the majority committee report of Ought to Pass. On a division vote, with 227 members having voted in the affirmative, and 138 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1231, relative to school district policy regarding objectionable course material. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Victoria Sullivan for the Majority of Education. This bill amends existing law which allows parents to opt out of certain course material as long as parents provide an alternative educational activity at their own expense. This bill simply rectifies the weakness in existing law whereas there was not a provision for parental notification included. The majority feels that parental involvement in these matters is vital to the education of children. Vote 13-6.

Rep. James Verschueren for the Minority of Education. The bill requires the school district or classroom teacher to set a notification policy that alerts parents not less than one week in advance whenever curriculum course material is used for instruction of drug and alcohol education, human sexuality, or human sexual education. Current law already provides for a parent to withdraw a student from class if the parent finds specific course material objectionable. The minority of the committee supports parental notification as a principle and believes that local school boards know best what the details of that policy should be and what level of content should be included. This bill is legislative over-reach. By putting this requirement into statute every piece of curriculum that may touch upon one of these subjects will require notification. This places an unreasonable burden on teachers and school districts to scour all content in all classes and all subjects in order to comply with statutory notification requirements.

Majority Amendment (0159h)

Amend RSA 186:11, IX-c as inserted by section 1 of the bill by replacing it with the following:

IX-c. Require school districts to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than one week advance notice of curriculum course material used for instruction of drug and alcohol education, human sexuality, or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

AMENDED ANALYSIS

This bill requires school districts to provide advance notice to parents and legal guardians of course material involving discussion of drug and alcohol education, human sexuality, or human sexual education.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 219 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1274, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. Rep. Terry Wolf for the Majority of Education. This bill establishes a study committee to review changes in the community college system. The college system has undergone many changes over the last few years, adapting to the changing needs of employers, declining enrollments and less state funding. Much of the testimony was in relation to the shift to more adjunct faculty and changing programs. The majority of the committee believes a review of changes should be done by the public higher education study committee, which is already established. Vote 12-9.

Rep. Mel Myler for the Minority of Education. There is recognition of the high quality of programs offered by the Community College System NH (CCSNH). The CCSNH is facing challenges of student enrollment and sources of revenue. The legislature created the CCSNH eight years ago and there has been no review of the CCSNH since its inception. The minority of the committee felt strongly that a study committee would be appropriate to review past and future needs of the system. There was ample testimony that question the current decision making process in light of limited resources and priority setting of the management of CCSNH.

The question being adoption of the majority committee report of Inexpedient to Legislate. Reps. Wolf and Ladd spoke in favor.

Rep. Myler spoke against.

Rep. Gile spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 204 NAYS 152

YEAS - 204 BELKNAP

	В	ELKNAP	
Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Fisher, Robert	Flanders, Donald	Gallagher, Brian	Howard, Raymond
Hurt, George	LeBreche, Shari	Russell, David	Spanos, Peter
Sylvia, Michael	Fraser, Valerie	Vadney, Herbert	Varney, Peter
	C	ARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	
	Cl	HESHIRE	
Bordenet, John	Emerson, Susan	Hunt, John	
		COOS	
Fothergill, John Tholl, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Ladd, Rick	Shackett, Jeffrey		
	HILL	SBOROUGH	
	A 10 111	0 1/11 5 1	

Ladd, Hick	Snackett, Jeffrey		
	HILI	SBOROUGH	
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Coffey, James	Danielson, David
Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Gagne, Larry	Gould, Linda	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Infantine, William
Belanger, James	Rice, Kimberly	Kurk, Neal	Ober, Lynne
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Prouix, Mark	Christie, Rick	Ober, Russell	Rouillard, Claire
Rowe, Robert	Sweeney, Shawn	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Stepanek, Stephen
Straight, Phillip	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	O'Brien, William	Wolf, Terry	Zaricki, Nick
	ME	DDIMACK	

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	Parent, Jason	Seaworth, Brian	Walsh, Thomas
	RC	OCKINGHAM	
Christie Andrew	Ahrami Patrick	Allen Mary	Azarian Gary

Christie, Andrew Abrami, Patrick Allen, Mary Azarian, Gary Baldasaro, Alfred Barnes, Arthur Bates, David Bush, Carol Cardon, G. Thomas Cook, Allen Thomas, Douglas Chirichiello, Brian Dean-Bailey, Yvonne DeSimone, Debra Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracy Chase, Francis Rice, Frederick Fesh, Robert Francese, Paula Friel, William Ferrante, Beverly

HOUSE JOURN	AL MARCH 23, 2010	
Green, Dennis Hodgdon, Bruce Ward, Joanne Lundgren, David Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tucker, Pamela Weyler, Kenneth	Guthrie, Joseph Hoelzel, Kathleen Kappler, Lawrence Griffin, Mary McKinney, Betsy O'Connor, John Potucek, John Spillane, James Vose, Michael	Hagan, Joseph Introne, Robert Katsakiores, Phyllis Major, Norman McMahon, Charles Osborne, Jason Gordon, Richard Sytek, John Webb, James
ST	RAFFORD	
Cheney, Catherine Groen, Warren Leeman, Don	DeLemus, Susan Horrigan, Timothy Mullen, John	Graham, Robert Kaczynski, Thomas Pitre, Joseph
SI	ULLIVAN	
Laware, Thomas	Rollins, Skip	Smith, Steven
N	AYS - 152	
C	ARROLL	
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C		
Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy	Tilton, Benjamin Johnsen, Gladys Parkhurst, Henry Sad, Tara	Berch, Paul Roberts, Kris Pearson, William Shepardson, Marjorie
	COOS	
Hatch William		Thomas, Yvonne
		THOMAS, TYOMAS
G	RAFTON	
Almy, Susan Higgins, Patricia Brown, Rebecca White, Andrew	Bennett, Travis Maes, Kevin Smith, Suzanne	Cooney, Mary Massimilla, Linda Sykes, George
HILL	SBOROUGH	
Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Gargasz, Carolyn Hansberry, Daniel Hopper, Gary Leishman, Peter McNamara, Richard Porter, Marjorie Snow, Kendall Woodbury, David	Beaulieu, Jane Cornell, Patricia Donovan, Daniel Goley, Jeffrey Harvey, Suzanne Jack, Martin O'Brien, Michael O'Neil, William Walsh, Robert Souza, Kathleen	Booras, Efstathia Cote, David Forest, Armand Gorman, Mary Heath, Mary Jeudy, Jean Mangipudi, Latha Brown, Pamela Rosenwald, Cindy Vann, Ivy
	Green, Dennis Hodgdon, Bruce Ward, Joanne Lundgren, David Matthews, Carolyn Nigrello, Robert Peckharn, Michele Schroadter, Adam Tucker, Pamela Weyler, Kenneth ST Cheney, Catherine Groen, Warren Leeman, Don SI Laware, Thomas N C Ticehurst, Susan CI Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy Hatch, William G Almy, Susan Higgins, Patricia Brown, Rebecca White, Andrew HILL Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Gargasz, Carolyn Hansberry, Daniel Hopper, Gary Leishman, Peter McNamara, Richard Porter, Marjorie	Hodgdon, Bruce Ward, Joanne Lundgren, David Matthews, Carolyn Nigrello, Robert Peckham, Michele Schroadter, Adam Tucker, Pamela Weyler, Kenneth STRAFFORD Cheney, Catherine Groen, Warren Leeman, Don SULLIVAN Laware, Thomas SULLIVAN Ameline, John CHESHIRE Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy COOS Hatch, William Moynihan, Wayne GRAFTON Almy, Susan Higgins, Patricia Brown, Rebecca White, Andrew HILLSBOROUGH Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Gargasz, Carolyn Hansberry, Daniel Hopper, Gary Leishman, Peter McMarmara, Richard Porter, Marjorie Snow, Kendall Holezel, Kathleen Kappler, Lawrence Griffin, Mary McKinney, Betsy O'Connor, John Potucek, John Spillane, James Vose, Michael Potren, Marion SulLIVAN Rollins, Skip NAYS - 152 CARROLL Tilton, Benjamin Johnsen, Gladys Parkhurst, Henry Sad, Tara Maes, Kevin Smith, Suzanne Maes, Kevin Smith, Suzanne Jack, Martin O'Brien, Michael O'Neil, William Walsh, Robert Souza, Kathleen

MERRIMACK

Turcotte, Alan Alicea, Caroletta French, Barbara
Bradley, Paula Rice, Chip Carson, Clyde
Doherty, David Ebel, Karen Gile, Mary

French, Barbara Bartlett, Christy Carson, Clyde Deloge, Helen Gile, Mary Henle, Paul

Frazer, June	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Ward, Gerald	Heffron, Frank	McBeath, Rebecca	Gordon, Pamela
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Sherman, Thomas	Simpson, Alexis

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Hannon, Joseph
Jones, Laura	Ward, Kenneth	Kaen, Naida	Smith, Marjorie
Schmidt, Peter	Rollo, Deanna	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
4 4 1 1	• • • • • • • •		

and the majority committee report was adopted.

The House recessed at 12:20 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR PART II CONT'D

HB 1300, relative to the content of patriotic exercises in public schools. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John Balcom for the Majority of Education. This bill as amended requires the inclusion of a discussion of the "words, meaning, and history of the Pledge of Allegiance and Star Spangled Banner." The majority of the committee felt that these two foundations of our country's fabric are important enough that they be specified to be taught in our public schools. Vote 10-8.

Rep. Mary Heath for the Minority of Education. The minority finds that the Pledge of Allegiance and the Star Spangled Banner should be inherent aspects of NH schools all year long and particularly on Memorial Day and Veterans Day. However, the minority feels that local curriculum remain the purview of the local school district and school board and the General Court should not dictate what and when it should be taught. The bill calls for "a discussion of the words and meaning of the Pledge of Allegiance and the Star Spangled Banner" it is unclear if that means every year in every grade and what does a discussion mean? If the bill called for a policy developed by the local school board it would allow for the design of the actions called for but in its current rendition, this bill is far too ambivalent.

Majority Amendment (0539h)

Amend RSA 189:18 as inserted by section 1 of the bill by replacing it with the following:

189:18 Patriotic Exercises. In all public schools of the state one session, or a portion thereof, during the weeks in which Memorial Day and Veterans Day fall, shall be devoted to exercises of a patriotic nature, which shall include a discussion of the words, meaning, and history of the Pledge of Allegiance and the Star Spangled Banner.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Jones requested a roll call; sufficiently seconded.

Rideout, Leon

YEAS 168 NAYS 130

YEAS - 168 BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Howard, Raymond	LeBreche, Shari	Russell, David
Spanos, Peter	Vadney, Herbert		
	C	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	Nelson, Bill	Umberger, Karen	
	C	HESHIRE	
Abbott, Michael	Tilton, Benjamin	Emerson, Susan	Johnsen, Gladys
Roberts, Kris	McConnell, James	Parkhurst, Henry	Sterling, Franklin
		2000	

COOS Moynihan, Wayne Rappaport, Laurence

Fothergill, John

	(
Brown, Duane	Darrow, Stephen	Hennessey, Erin	Johnson, Eric
Gionet, Edmond	Ingbretson, Paul	Ladd, Rick	Townsend, Charles

	HILI		
Adams, Christopher	Balcom, John	Baroody, Benjamin	Boehm, Ralph
Christensen, Chris	Cote, David	Danielson, David	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Flanagan, Jack
Gagne, Larry	Gargasz, Carolyn	Gould, Linda	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hogan, Edith	Jeudy, Jean
Katsiantonis, Thomas	Christiansen, Lars	Ober, Lynne	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Notter, Jeanine	Ohm, Bill
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Proulx, Mark
Christie, Rick	Rouillard, Claire	Rowe, Robert	Seidel, Carl
Snow, Kendali	Straight, Phillip	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria		••	,,

MERRIMACK

Turcotte, Alan	Bradley, Paula	McGuire, Carol	Long, Douglas
Ebel, Karen	French, Harold	Hill, Gregory	Horn, Werner
Kotowski, Frank	Kuch, Bill	Marple, Richard	Martin, John
Patten, Dick	Ratzki, Mario	Seaworth, Brian	Wheeler, Deborah

	ROCK		
Christie, Andrew	Abrami, Patrick	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Bush, Carol	Cahill, Michael
Cardon, G. Thomas	Chirichiello, Brian	Thomas, Douglas	Devine, James
Duarte, Joe	Edgar, Michael	Elliott, Robert	Emerick, J. Tracy
Chase, Francis	Rice, Frederick	Ferrante, Beverly	Fesh, Robert
Friel, William	Gannon, William	Green, Dennis	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Griffin, Mary
Major, Norman	Matthews, Carolyn	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam
Spillane, James	True, Chris	Vose, Michael	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	,

Kaen, Naida Treleaven, Susan

STRAFFORD

	811	KAFFUKD	
Cheney, Catherine Groen, Warren Mullen, John	DeLemus, Susan Kaczynski, Thomas Pitre, Joseph	Graham, Robert Turcotte, Leonard Wall, Janet	Gray, James Leeman, Don Wuelper, Kurt
	SU	JLLIVAN	
Converse, Larry Laware, Thomas	Gagnon, Raymond O'Hearne, Andrew	Gottling, Suzanne Rollins, Skip	Grenier, James
	N	AYS - 130	
	В	ELKNAP	
Aldrich, Glen Fraser, Valerie	Fisher, Robert Varney, Peter	Hurt, George	Sylvia, Michael
		ARROLL	
Buco, Thomas	Butler, Edward	Schmidt, Stephen	Ticehurst, Susan
	C	HESHIRE	
Ames, Richard	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Ley, Douglas	Mann, John	Phillips, Larry
Robertson, Timothy Weber, Lucy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Hull, Robert	Maes, Kevin
Brown, Rebecca	Smith, Suzanne	Sykes, George	White, Andrew
	HILL	SBOROUGH	
Griffin, Barbara	Backus, Robert	Beaulieu, Jane	Booras, Efstathia
Burt, John	Roberts, Carol	Cohen, Alan	Cornell, Patricia
Edwards, Elizabeth	Ferreira, Elizabeth	Forest, Armand	Freitas, Mary
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Halstead, Carolyn
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Belanger, James	Jack, Martin	Rice, Kimberly	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Murphy, Keith	Brown, Pamela
Palmer, Barry	Pierce, David	Porter, Marjorie	Ober, Russell Shattuck, Gilman
Rosenwald, Cindy	Schleien, Eric	Scontsas, Lisa Williams, Kermit	Wolf, Terry
Simmons, Tammy Woodbury, David	Vann, Ivy Zaricki, Nick	williams, remit	woll, relly
Woodbury, David		CRRIMACK	
Alicea, Caroletta	French, Barbara	Bartlett, Christy	Brewster, Michael
Carson, Clyde	McGuire, Dan	Deloge, Helen	Doherty, David
Gile, Mary	Henle, Paul	Hoell, J.R.	Frazer, June
Karrick, David	Kenison, Linda	Kidder, David	Luneau, David
MacKay, James	Myler, Mel	Rogers, Katherine	Saunderson, George
Shurtleff, Stephen	ROC	CKINGHAM	
Berrien, Skip	Cushing, Robert	Dean-Bailey, Yvonne	DiFranco, Debbie
Francese, Paula	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Gordon, Pamela	Pantelakos, Laura	Simpson, Alexis
	ST	RAFFORD	
Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Ward, Kenneth
Kaen, Naida	Rollo, Deanna	Southworth, Thomas	Stevens, Audrey
Taslanuan Cunan			

SULLIVAN

Cloutier, John Irwin, Virginia Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

HB 1338, relative to student exemption from the statewide assessment. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ralph Boehm for the Majority of Education. This bill gives parents the right to remove their child from taking the state annual assessment. Thus reinforcing parental rights as to their control of what their children have access to. Other states and even some school districts in this state are allowing parents to exempt their child from testing without any loss in Federal funds. The number of students not taking the test should not statistically jeopardize any comparison with other schools. Vote 10-9.

Rep. Mary Gile for the Minority of Education. The minority believes that this bill which amends the Statewide Education Improvement and Assessment Program section on requiring assessments (RSA 193-C:6) would create a student opt-out option from the statewide assessment process. This bill would conflict with current state educational accountability laws, undercut one of the tools that educators use to evaluate K-12 student progress, and jeopardize millions of dollars in federal funding for New Hampshire schools. Participation in the state assessment is also a criterion for the court decision that assures an adequate education. Furthermore, in December 2015, Congress reauthorized the ESEA of 1965 as The Every Student Succeeds Act (ESSA) for which neither rules nor guidance have been written. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation's national education law and longstanding commitment to equal opportunity for all students. The new law builds on key areas of progress in recent years, made possible by the efforts of educators, communities, parents, and students across the country. It is premature to establish this bill and possibly ieopardize millions of federal dollars for our local school districts. By state law, and as a result of Supreme Court decisions requiring a statewide education accountability system, New Hampshire schools are required to participate in the statewide educational improvement and assessment program. If passed, this bill would discourage participation in the annual statewide assessment, violating the requirements of both federal and state law, as well as the requirements of the New Hampshire Supreme Court that New Hampshire have a broad assessment and accountability system. Allowing this bill to become law also poses significant fiscal risk by threatening tens of millions of dollars a year in federal funding to our schools. The federal government requires 95 percent of students to participate in a statewide assessment to receive Title I funding. This bill sends a bad message to our students. Students who are told that they can opt out of this critical component to their education will believe that they can opt out of other of requirements as well, which could in turn affect participation in day-to-day activities and interfere with both student assessment and direct instruction.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Heath spoke against.

Rep. Victoria Sullivan spoke in favor and yielded to questions.

Rep. Gile requested a roll call; sufficiently seconded.

YEAS 204 NAVS 151

YEAS - 204 BELKNAP

Aldrich, Glen Flanders, Donald LeBreche, Shari Fraser, Valerie	Dumais, Russell Gallagher, Brian Russell, David Vadney, Herbert	Tilton, Franklin Howard, Raymond Spanos, Peter Varney, Peter	Fields, Dennis Hurt, George Sylvia, Michael

CARROLL

	•	CHINICEL	
Avellani, Lino Crawford, Karel Schmidt, Stephen	Chandler, Gene McCarthy, Frank Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
Crawford, Karel	McCarthy, Frank	, , , , , , , , ,	

CHESHIRE

McConnell, James Hunt, John Emerson, Susan Tilton, Benjamin Sterling, Franklin COOS Rideout, Leon Richardson, Herbert Rappaport, Laurence Fothergill, John Tholl, John

GRAFTON

Darrow, Stephen Hennessey, Erin Brown, Duane Bailey, Brad Ingbretson, Paul Hull, Robert Gionet, Edmond Johnson, Eric Shackett, Jeffrey Ladd, Rick

HILLSBOROUGH

Griffin, Barbara Balcom, John Ammon, Keith Adams, Christopher Byron, Frank Burt, John Boehm, Ralph Biggie, Barbara Danielson, David Donovan, Daniel Coffey, James Christensen, Chris Estevez, Eric Edelblut, Frank Edwards, Elizabeth Eastman, Eric Gargasz, Carolyn Flanagan, Jack Gagne, Larry Ferreira, Elizabeth Haefner, Robert Haistead, Carolyn Guerette, C. Lee Gould, Linda Hopper, Gary Hinch, Richard Hogan, Edith Hansen, Peter Ober, Lynne Katsiantonis, Thomas Rice, Kimberly Belanger, James McClarren, Donald Marston, Dick LeBrun, Donald Lachance, Joseph Murphy, Keith Murotake, David McLean, Mark Moore, Josh Palmer, Barry McCarthy, Peggy Ohm, Bill Notter, Jeanine Peterson, Ken Proulx, Mark Pellegrino, Anthony Parison, James Rowe, Robert Rouillard, Claire Ober, Russell Christie, Rick Scontsas, Lisa Seidel, Carl Schleien, Eric Sanborn, Laurie Twombly, Timothy Straight, Phillip Souza, Kathleen Simmons, Tammy Zaricki, Nick Wolf, Terry Sullivan, Victoria Ulery, Jordan

MERRIMACK

Long, Douglas McGuire, Dan McGuire, Carol Brewster, Michael Hoell, J.R. Hess. David Hill, Gregory French, Harold Marple, Richard Kuch, Bill Horn, Werner Kotowski, Frank Walsh, Thomas Seaworth, Brian Martin, John

ROCKINGHAM Abramson, Max Allen, Mary Christie, Andrew Abrami, Patrick Bates, David Barnes, Arthur Baldasaro, Alfred Azarian, Gary Cook, Allen Thomas, Douglas Chirichiello, Brian Bush, Carol Duarte, Joe Devine, James DeSimone, Debra Dean-Bailey, Yvonne Rice, Frederick Chase, Francis Emerick, J. Tracy Elliott, Robert Gannon, William Friel, William Ferrante, Beverly Fesh. Robert Harris, Jeffrey Hagan, Joseph Guthrie, Joseph Green, Dennis Itse. Daniel Introne, Robert Hoelzel, Kathleen Hodgdon, Bruce Kolodziej, Walter Kappler, Lawrence Ward, Joanne Sweeney, Joe Manning, John Major, Norman Griffin, Mary Lundgren, David McMahon, Charles Milz, David McKinney, Betsy Matthews, Carolyn Packard, Sherman O'Connor, John Osborne, Jason Nigrello, Robert Gordon, Richard Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Sytek, John Spillane, James Schroadter, Adam Tilton, Rio Webb, James Vose, Michael Tucker, Pamela True, Chris Woitkun, Steven Welch, David Weyler, Kenneth

STRAFFORD

Graham, Robert Gray, James DeLemus, Susan Cheney, Catherine Kaczynski, Thomas Jones, Laura Hannon, Joseph Groen, Warren Pitre, Joseph Mullen, John Leeman, Don Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 151 BELKNAP

Fisher, Robert

CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard
Chase, Cynthia Eaton, Daniel
Ley, Douglas Mann, John
Phillips, Larry Robertson, Timothy
Tatro, Bruce Weber, Lucy

Berch, Paul Bordenet, John
Johnsen, Gladys Roberts, Kris
Parkhurst, Henry Pearson, William
Sad, Tara Shepardson, Marjorie

COOS

Froburg, Alethea Moynihan, Wayne Theberge, Robert

GRAFTON

Abel, Richard
Ford, Susan
Nordgren, Sharon
Townsend, Charles

Almy, Susan Higgins, Patricia Brown, Rebecca White, Andrew Bennett, Travis Maes, Kevin Smith, Suzanne

Cooney, Mary Massimilla, Linda Sykes, George

HILLSBOROUGH

Backus, Robert Roberts, Carol Sullivan, Daniel Goley, Jeffrey Heath, Mary Christiansen, Lars Manley, Jonathan Long, Patrick Rosenwald, Cindy Vann, Ivy Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Gorman, Mary Herbert, Christopher Leishman, Peter McNamara, Richard Pierce, David Shattuck, Gilman Williams, Kermit

Beaulieu, Jane Cornell, Patricia Forest, Armand Hansberry, Daniel Jack, Martin O'Brien, Michael O'Neil, William Porter, Marjorie Snow, Kendall Woodbury, David Booras, Efstathia Cote, David Freitas, Mary Harvey, Suzanne Jeudy, Jean Mangipudi, Latha Brown, Pamela Walsh, Robert Takesian, Charlene

MERRIMACK

Turcotte, Alan Bradley, Paula Doherty, David Frazer, June Luneau, David Patten, Dick Schuett, Dianne

Alicea, Caroletta Rice, Chip Ebel, Karen Karrick, David MacKay, James Ratzki, Mario Shurtleff, Stephen

Carson, Clyde Gile, Mary Kenison, Linda Moffett, Howard Rogers, Katherine Wallner, Mary Jane

French, Barbara

Bartlett, Christy Deloge, Helen Henle, Paul Kidder, David Myler, Mel Saunderson, George Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Cardon, G. Thomas Francese, Paula McBeath, Rebecca Simpson, Alexis Borden, David Cushing, Robert Ward, Gerald Gordon, Pamela Cahill, Michael DiFranco, Debbie Heffron, Frank Pantelakos, Laura

Cali-Pitts, Jacqueline Edgar, Michael Lovejoy, Patricia Sherman, Thomas

STRAFFORD

Baber, William Berube, Roger Burton, Wayne Cilley, Jacalyn Bickford, David DiSesa, Len Bixby, Peter Gardner, Janice Horrigan, Timothy Schmidt, Peter Sprague, Dale Ward, Kenneth Rollo, Deanna Stevens, Audrey Kaen, Naida Southworth, Thomas Treleaven, Susan Smith, Marjorie Spang, Judith Wall, Janet

SULLIVAN

Schmidt, Andrew Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew Oxenham, Lee and the majority committee report was adopted and ordered to third reading.

HB 1365, requiring public schools to observe New Hampshire constitution day. INEXPEDIENT TO LEGISLATE.

Rep. Allen Cook for Education. This bill directs teachers to offer or provide a copy of the state constitution to students; however, this bill is duplicative of RSA 189:23 that currently directs the state board of education to distribute copies of the state constitution and election laws to all teachers for instruction in the upper elementary, junior and high school grades. Further, RSA 189:11 requires all public and private schools in the state to provide regular courses of instruction in the constitutions of the United States and New Hampshire. Lastly, this bill states that copies of the constitution shall be provided to students, but it does not define the grade levels. Early elementary students, K-3, have not yet acquired reading skills necessary to read the constitution. Vote 17-2.

Rep. Prudhomme-O'Brien spoke against.

Rep. Cook spoke in favor.

Rep. DeLemus requested a roll call; sufficiently seconded.

YEAS 276 NAYS 83

YEAS - 276 BELKNAP

Dumais, Russell	Tilton, Franklin
Flanders, Donald	Gallagher, Brian
Sylvia, Michael	

Fields, Dennis Hurt, George Fisher, Robert Russell, David

CARROLL

Buco, Thomas	
Crawford, Karel	
Ticehurst, Susan	

Butler, Edward McCarthy, Frank Umberger, Karen Chandler, Gene McConkey, Mark Comeau, Ed Schmidt, Stephen

CHESHIRE

Emerson, Susan Ley, Douglas Phillips, Larry Sterling, Franklin

Berch, Paul

Bordenet, John Johnsen, Gladys Mann, John Robertson, Timothy Tatro. Bruce Chase, Cynthia Hunt, John Parkhurst, Henry Sad, Tara Weber, Lucy

COOS

Fothergill, John Rappaport, Laurence Thomas, Yvonne Froburg, Alethea Richardson, Herbert Hatch, William Theberge, Robert Moynihan, Wayne Tholl, John

GRAFTON

Abel, Richard Cooney, Mary Gionet, Edmond Maes, Kevin Shackett, Jeffrey White, Andrew Almy, Susan Darrow, Stephen Higgins, Patricia Massimilla, Linda Smith, Suzanne Bailey, Brad Hennessey, Erin Hull, Robert Nordgren, Sharon Sykes, George Bennett, Travis Ford, Susan Ladd, Rick Brown, Rebecca Townsend, Charles

HILLSBOROUGH

Adams, Christopher Baicom, John Biggie, Barbara Roberts, Carol Cote, David Edelblut, Frank Forest, Armand Goley, Jeffrey Haefner, Robert Heath, Mary Jack, Martin Christiansen, Lars O'Brien, Michael McClarren, Donald Brown, Pamela Peterson, Ken Walsh, Robert Schleien, Eric Snow, Kendali Williams, Kermit

Ammon, Keith Baroody, Benjamin Boehm, Ralph Coffey, James Sullivan, Daniel Edwards, Elizabeth Freitas, Mary Gorman, Mary Halstead, Carolyn Herbert, Christopher Jeudy, Jean Ober, Lynne Mangipudi, Latha McNamara, Richard Long, Patrick Pierce, David Rosenwald, Cindy Scontsas, Lisa Takesian, Charlene

Griffin, Barbara Barry, Richard Booras, Efstathia Cohen, Alan Danielson, David Ferreira, Elizabeth Gagne, Larry Gould, Linda Hansberry, Daniel Hinch, Richard Rice, Kimberly LeBrun, Donald Manley, Jonathan Murotake, David McCarthy, Peggy Porter, Mariorie Rouillard, Claire Shattuck, Gilman Sullivan, Victoria Woodbury, David

Backus, Robert Beaulieu, Jane Christensen, Chris Cornell, Patricia DiSilvestro, Linda Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Harvey, Suzanne Belanger, James Katsiantonis, Thomas Leishman, Peter Marston, Dick O'Neil, William Palmer, Barry Ober, Russell Rowe, Robert Simmons, Tammy Vann, Ivy Zaricki, Nick

MERRIMACK

Turcotte, Alan Bradley, Paula Long, Douglas Gile, Mary Frazer, June Kuch, Bill Martin, John Saunderson, George Wallner, Mary Jane Alicea, Caroletta McGuire, Carol Deloge, Helen Henle, Paul Kenison, Linda Luneau, David Moffett, Howard Schuett, Dianne Wheeler, Deborah

Wolf, Terry

French, Barbara Rice, Chip Doherty, David Hess, David Kidder, David MacKay, James Myler, Mel Shurtleff, Stephen

Bartlett, Christy Carson, Clyde Ebel, Karen Hill, Gregory Kotowski, Frank Marple, Richard Ratzki, Mario Walsh, Thomas

ROCKINGHAM

Christie, Andrew Berrien, Skip Cook, Allen DeSimone, Debra Edgar, Michael Fesh, Robert Guthrie, Joseph Introne, Robert Lovejoy, Patricia Matthews, Carolyn Milz, David Packard, Sherman Simpson, Alexis Webb, James Abrami, Patrick Borden, David Cushing, Robert Devine, James Elliott, Robert Francese, Paula Hagan, Joseph Ward, Joanne Griffin, Mary McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Sytek, John Welch, David Azarian, Gary
Cahill, Michael
Thomas, Douglas
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Heffron, Frank
Katsakiores, Phyllis
Major, Norman
McKinney, Betsy
O'Connor, John
Potucek, John
Tucker, Pamela
Weyler, Kenneth

Barnes, Arthur
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Duarte, Joe
Ferrante, Beverly
Ward, Gerald
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John
McMahon, Charles
Gordon, Pamela
Sherman, Thomas
Vose, Michael
Woitkun, Steven

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Jones, Laura Berube, Roger Cheney, Catherine Gray, James Ward, Kenneth Bickford, David Cilley, Jacalyn Hannon, Joseph Kaen, Naida Bixby, Peter DiSesa, Len Horrigan, Timothy Leeman, Don

House Journal March 23, 2016

Smith, Marjorie Rollo, Deanna Stevens, Audrey	Mullen, John Southworth, Thomas Treleaven, Susan	Schmidt, Peter Spang, Judith Wall, Janet	Pitre, Joseph Sprague, Dale
	SU	ILLIVAN	
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Grenier, James Smith, Steven	Converse, Larry Irwin, Virginia	Gagnon, Raymond O'Hearne, Andrew
	N.	AYS - 83	
	Bl	ELKNAP	
Aldrich, Glen Fraser, Valerie	Howard, Raymond Vadney, Herbert	LeBreche, Shari Varney, Peter	Spanos, Peter
	C	ARROLL	
Avellani, Lino	Cordelli, Glenn	Nelson, Bill	Parker, Harold
	CI	HESHIRE	
Abbott, Michael	Tilton, Benjamin	McConnell, James	
	•		
Rideout, Leon		COOS	
riideodi, Leon	C	RAFTON	
Brown Duono	Johnson, Eric	Ingbretson, Paul	
Brown, Duane	JUHNSON, ENC	ingbreison, raui	
	HILL	SBOROUGH	
Burt, John	Byron, Frank	Donovan, Daniel	Eastman, Eric
Estevez, Eric	Hansen, Peter	Hogan, Edith	Hopper, Gary
Lachance, Joseph	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Pellegrino, Anthony
Proulx, Mark	Christie, Rick	Sanborn, Laurie	Seidel, Carl
Souza, Kathleen	Straight, Phillip	Twombly, Timothy	Ulery, Jordan
	ME	RRIMACK	
Brewster, Michael	McGuire, Dan	French, Harold	Hoell, J.R.
Horn, Werner	Karrick, David	Patten, Dick	Rogers, Katherine
Seaworth, Brian	·		
	ROC	KINGHAM	
Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush, Carol	Cardon, G. Thomas	Chirichiello, Brian	Chase, Francis
Rice, Frederick	Gannon, William	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Sweeney, Joe	Kappler, Lawrence
Lundgren, David	Osborne, Jason	Peckham, Michele	Prudhomme-O'Brien, Katherine
Gordon, Richard	Tilton, Rio	Spillane, James	True, Chris
	•		

STRAFFORD

DeLemus, Susan Graham, Robert Groen, Warren Kaczynski, Thomas Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip and the committee report was adopted.

HB 1371, establishing a committee to study education savings accounts for families of special needs students. **REFER FOR INTERIM STUDY.**

Rep. James Grenier for Education. This bill proposes a committee study of education savings accounts (ESA's) that are similar to health savings accounts that permit the account holder to pay for doctor's visits, medication, or other needs that they believe necessary. This program would include grades K through college. ESA's allow parents to actually take control of and customize their children's education. For those students with special needs, this bill supports tailoring learning to those needs. Vote 21-0.

Committee report adopted.

Gallagher, Brian

Sykes, George

HB 1393, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Deanna Rollo for the Majority of Education. This bill requires the commissioner of the department of education to report on the number of students receiving differentiated aid from the state and to compare the statewide assessment results of those students, by category of aid received, with the statewide assessment results of students not receiving differentiated aid. Currently the DOE reports assessment information by sub groups and for multiple years. However local school districts do not collect and report program intervention data consistently based on how they employ adequacy funds. Therefore this bill could be construed as a hardship for local school districts. Vote 11-10.

Rep. Glenn Cordelli for the Minority of Education. This bill requires the Department of Education to report accountability and data relative to the four categories of differentiated aid in the adequacy formula. This information is available in the state student database. We need to make sure that our scarce education funds are producing the desired results, or look at other means to gain those results.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cordelli spoke against and yielded to questions.

Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 180 NAYS 177

YEAS - 180 BELKNAP

•		CARROLL	
Buco, Thomas Umberger, Karen	Butler, Edward	Parker, Harold	Ticehurst, Susan
	(CHESHIRE	
Abbott, Michael Chase, Cynthia Roberts, Kris Pearson, William Shepardson, Marjorie	Ames, Richard Eaton, Daniel Ley, Douglas Phillips, Larry Tatro, Bruce	Berch, Paul Emerson, Susan Mann, John Robertson, Timothy Weber, Lucy	Bordenet, John Johnsen, Gladys Parkhurst, Henry Sad, Tara
		coos	
Fothergill, John Theberge, Robert	Froburg, Alethea Tholl, John	Hatch, William Thomas, Yvonne	Moynihan, Wayne
	(GRAFTON	
Abel, Richard Ford, Susan Massimilla, Linda	Almy, Susan Gionet, Edmond Nordgren, Sharon	Bennett, Travis Higgins, Patricia Brown, Rebecca	Cooney, Mary Maes, Kevin Smith, Suzanne

White, Andrew

Townsend, Charles

HILLSBOROUGH

Backus, Robert Booras, Efstathia Cote, David Forest, Armand Goley, Jeffrey Hansberry, Daniel Hinch, Richard Christiansen, Lars Manley, Jonathan Long, Patrick Walsh, Robert Vann, Ivy Baroody, Benjamin Christensen, Chris Sullivan, Daniel Freitas, Mary Gorman, Mary Harvey, Suzanne Belanger, James Leishman, Peter McNamara, Richard Palmer, Barry Rosenwald, Cindy Williams, Kermit Barry, Richard Roberts, Carol DiSilvestro, Linda Gagne, Larry Guerette, C. Lee Heath, Mary Jack, Martin O'Brien, Michael O'Neil, William Pierce, David Shattuck, Gilman Wolf, Terry

Beaulieu, Jane Cornell, Patricia Flanagan, Jack Gargasz, Carolyn Halstead, Carolyn Herbert, Christopher Jeudy, Jean Mangipudi, Latha Brown, Pamela Proulx, Mark Snow, Kendall Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Deloge, Helen Henle, Paul Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah Alicea, Caroletta Rice, Chip Doherty, David Hess, David Kidder, David Marple, Richard Ratzki, Mario Shurtleff, Stephen French, Barbara Carson, Clyde Ebel, Karen Frazer, June Kotowski, Frank Moffett, Howard Rogers, Katherine Walsh, Thomas

Bartlett, Christy Long, Douglas Gile, Mary Karrick, David Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Cali-Pitts, Jacqueline Edgar, Michael Heffron, Frank McBeath, Rebecca Pantelakos, Laura Abrami, Patrick Cushing, Robert Francese, Paula Hoelzel, Kathleen McMahon, Charles Sherman, Thomas Berrien, Skip Devine, James Ward, Gerald Lovejoy, Patricia Milz, David Simpson, Alexis Cahill, Michael DiFranco, Debbie Hagan, Joseph Manning, John Gordon, Pamela

STRAFFORD

Baber, William Cilley, Jacalyn Horrigan, Timothy Schmidt, Peter Sprague, Dale Berube, Roger DiSesa, Len Ward, Kenneth Rollo, Deanna Stevens, Audrey Bixby, Peter Gardner, Janice Kaen, Naida Southworth, Thomas Treleaven, Susan Burton, Wayne Gray, James Smith, Marjorie Spang, Judith Wall, Janet

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Converse, Larry Irwin, Virginia Gagnon, Raymond O'Hearne, Andrew

NAYS - 177

BELKNAP

Aldrich, Glen Fisher, Robert LeBreche, Shari Fraser, Valerie Dumais, Russell Flanders, Donald Russell, David Vadney, Herbert Tilton, Franklin Howard, Raymond Spanos, Peter Varney, Peter Fields, Dennis Hurt, George Sylvia, Michael

CARROLL

Avellani, Lino Crawford, Karel Schmidt, Stephen Chandler, Gene McCarthy, Frank Comeau, Ed McConkey, Mark Cordelli, Glenn Nelson, Bill

CHESHIRE

Tilton, Benjamin Hunt, John McConnell, James Sterling, Franklin

COOS

Rappaport, Laurence Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Hull, Robert Ingbretson, Paul Ladd, Rick

HILLSBOROUGH

Adams, Christopher Ammon, Keith Biggie, Barbara Boehm, Ralph Coffey, James Danielson, David Edelblut, Frank Edwards, Elizabeth Gould, Linda Haefner, Robert Hopper, Gary Rice. Kimberly LeBrun, Donald Marston, Dick Moore, Josh Murotake, David Ohm, Bill McCarthy, Peggy Peterson, Ken Porter, Mariorie Rouillard, Claire Rowe, Robert Scontsas, Lisa

Griffin, Barbara Burt, John Donovan, Daniel Estevez, Eric Hansen, Peter Katsiantonis, Thomas McClarren, Donald Murphy, Keith Parison, James Christie, Rick Sanborn, Laurie Seidel, Carl Simmons, Tammy Takesian, Charlene Twombly, Timothy Zaricki, Nick

Balcom, John Byron, Frank Eastman, Eric Ferreira, Elizabeth Hogan, Edith Lachance, Joseph McLean, Mark Notter, Jeanine Pellegrino, Anthony Ober, Russell Schleien, Eric Souza, Kathleen Ulery, Jordan

MERRIMACK

Brewster, Michael McGuire, Carol Hill, Gregory Hoell, J.R. Martin, John Seaworth, Brian McGuire, Dan French, Harold Horn, Werner Kuch, Bill

ROCKINGHAM

Abramson, Max Barnes, Arthur Cardon, G. Thomas Dean-Bailey, Yvonne Emerick, J. Tracy Fesh, Robert Guthrie, Joseph Itse, Daniel Katsakiores, Phyllis Major, Norman O'Connor, John Potucek, John Schroadter, Adam Tucker, Pamela Weyler, Kenneth

Straight, Phillip

Sullivan, Victoria

Allen, Mary Bates, David Chirichiello, Brian DeSimone, Debra Chase, Francis Friel, William Harris, Jeffrey Sweeney, Joe Kolodziej, Walter Matthews, Carolyn Osborne, Jason Prudhomme-O'Brien, Katherine Gordon, Richard Spillane, James Vose, Michael

Azarian, Garv Borden, David Cook, Allen Duarte, Joe Rice, Frederick Gannon, William Hodadon, Bruce Ward, Joanne Lundgren, David McKinney, Betsy Packard, Sherman Sytek, John Webb, James

Baldasaro, Alfred Bush, Carol Thomas, Douglas Elliott, Robert Ferrante, Beverly Green, Dennis Introne, Robert Kappler, Lawrence Griffin, Marv Nigrello, Robert Peckham, Michele Tilton, Rio True, Chris Welch, David

STRAFFORD

Bickford, David Groen, Warren Turcotte, Leonard Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Leeman, Don

Woitkun, Steven

DeLemus, Susan Jones, Laura Mullen, John

Graham, Robert Kaczynski, Thomas Pitre, Joseph

SULLIVAN

Laware, Thomas Rollins, Skip Smith, Steven and the majority committee report was adopted.

Rep. Porter voted Nay and intended to vote Yea.

HB 1484, relative to the election of members of the state board of education. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Terry Wolf for the Majority of Education. Members of the state board of education are currently nominated by the governor and approved by the executive council. Under this bill, five board members would be elected to the state board of education using the same districts as the executive council. The majority feels there is currently a process of checks and balances. Electing board members would make the process even more political with less qualified candidates. Vote 13-6.

Rep. Glenn Cordelli for the Minority of Education. The state board of education (BOE) is comprised of seven members – two at large members and I member from each of the five executive council districts. All are currently appointed by the governor. This bill changes appointment of the board members from the executive council districts to election by the people of each district. The governor will still appoint the two at large members and appoint the board chair. The minority believes the election of these members will put parents more in touch with their state board member, improve communication, and lead to a public discussion of school issues and greater accountability. We have confidence in the people to elect good people to the BOE, after all, they elected us.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cordelli spoke against.

Rep. Wolf spoke in favor.

On a division vote, with 225 members having voted in the affirmative, and 126 in the negative, the majority committee report was adopted.

HB 1637-FN, relative to school attendance in towns with no public schools. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ralph Boehm for the Majority of Education. There is currently a lawsuit pending on this issue; it may be already legal, but this bill clarifies certain aspects of the law. This bill allows a school district to assign a child to another public school in another school district or to an approved, non-religious private school if there is no public school for the child's grade in the child's resident district. The amendment states a private school approved for attendance. If a school district does not have its own public school for certain grades, the school district may tuition students to a non-religious private school that is approved for attendance by the Department of Education. This gives local control to school districts to do what is best for their children. Vote 12-9.

Rep. Mary Heath for the Minority of Education. The minority finds that while the intent and purpose of this bill to provide children for whom the town does not have access to a public school another private alternative is noteworthy; the full implication of this action is unclear. Also, there is a pending legal status related to this bill that should be settled prior to the establishment of the actions defined in this bill, to first determine its legality. In addition, as enacted, the far reaching implications and impact on NH's public education system have not been identified and must be considered and studied before this bill takes effect both at the state and local level.

Majority Amendment (0878h)

Amend the introductory paragraph of RSA 193:1, I as inserted by section 1 of the bill by replacing it with the following:

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. If there is no public school for the child's grade in the resident district, the district may assign the child to another public school in another school district or to a non-religious private school which has been approved for attendance by the department of education. Such child shall attend full time when such school is in session unless:

Amend RSA 194:22 as inserted by section 2 of the bill by replacing it with the following:

194:22 Contracts With Schools. Any school district may make a contract with an academy, high school, non-religious private school, or other literary institution located in this or, when distance or transportation facilities make it necessary, in another state, to provide for the education of a pupil who resides in the district and raise and appropriate money to carry the contract into effect. [If the contract is approved by the state board the school with which it is made shall be deemed a high school maintained by the district.] Notwithstanding any provision of law to the contrary, a school

board may make a contract with any non-religious private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

Amend RSA 194:27 as inserted by section 3 of the bill by replacing it with the following:

194:27 Tuition. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district, or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his or her tuition paid by the district where the pupil resides, and who attends an approved public high school [or], public school of corresponding grade in another district [or], an approved public academy, or a non-religious private school which has been approved for attendance by the department of education. Except under contract as provided in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year. This current expense of operation shall include all costs except costs of transportation of pupils.

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting after paragraph III the following new paragraph:

IV. Notwithstanding any provision of law to the contrary, a school board may make a contract with any non-religious private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

AMENDED ANALYSIS

This bill allows a school district to assign a child to another public school in another school district or to an approved, non-religious private school if there is no public school for the child's grade in the child's resident district. The bill also allows a school board to make a contract with a non-religious private school to provide for the education of a child who resides in a district which does not have a public school at the child's grade level.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 208 members having voted in the affirmative, and 143 in the negative, the majority committee report was adopted and ordered to third reading.

REGULAR CALENDAR - PART III

HB 1135, relative to physical force in defense of a person. INEXPEDIENT TO LEGISLATE. Rep. Len DiSesa for Criminal Justice and Public Safety. The Attorney General's Office and the NH Department of Safety strongly opposed this bill. It would make substantial changes to the law regarding deadly force and it would greatly expand the conditions when deadly force was to be used. As the statute stands now, one can only use deadly force against another person in self-defense if he or she reasonably believes that the other person is about to use unlawful deadly force against him or her (or another person). This bill expands that by making it legal to use deadly force against another person who he or she - or some other reasonable person - would reasonably believe is about to commit a felony against him/herself or another person. There are many felony-level crimes in the New Hampshire statutes that are not personal injury crimes, such as fraud, or crimes against property. Under the language changes in this bill, it would be legal for a person to use deadly force against another if one believed that person was about to commit fraud, or a computer crime, or any of the many other nonviolent felonies covered under the statute. Further, this bill deletes and repeals a section of the deadly force law that allows for the use of deadly force to stop a kidnapping or forcible rape. Why would we want to do that? It also deletes a current provision that says that a private citizen who is assisting a law enforcement officer at the officer's request and direction and acting within the same laws that the officer must abide by, need not retreat from an encounter but may continue to assist the officer. That person is currently covered under these conditions under the "color of law." Removing this language would remove the protection for a citizen who assists a police officer in a dangerous situation. This bill also expands the current definition of the word "dwelling" and instead defines a dwelling to include a shed, barn, outhouse, attached porch, conveyance of any kind which has a roof over it (including a tent). The definition in current law is broad enough to incorporate most of these because it means any building, structure, boat or other place adapted for overnight accommodation of persons. Vote 17-0. Rep. DiSesa spoke in favor.

Rep. Abramson spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 329 NAYS 30

YEAS - 329

BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Fisher, Robert
Flanders, Donald	Gallagher, Brian	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Vadney, Herbert	Varney, Peter

CARROLL

O.H. C.			
Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Ley, Douglas
Mann, John	McConnell, James	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Hennessey, Erin	Johnson, Eric
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ingbretson, Paul
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Brown, Rebecca	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

	HILL	BDOKOCGII	
Adams, Christopher	Griffin, Barbara	Backus, Robert	Balcom, John
Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	Biggie, Barbara
Booras, Efstathia	Burt, John	Byron, Frank	Roberts, Carol
Coffey, James	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary	Gagne, Larry
Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Infantine, William	Belanger, James
Jack, Martin	Jeudy, Jean	Rice, Kimberly	Katsiantonis, Thomas
Kurk, Neal	Ober, Lynne	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	McClarren, Donald	McLean, Mark	McNamara, Richard

Murotake, David Ohm, Bill Palmer, Barry Porter, Marjorie Walsh, Robert Sanborn, Laurie Simmons, Tammy Takesian, Charlene Vann, Ivy Zaricki, Nick Murphy, Keith Brown, Pamela Pellegrino, Anthony Proulx, Mark Rosenwald, Cindy Schleien, Eric Snow, Kendall Twombly, Timothy Williams, Kermit Notter, Jeanine Long, Patrick Peterson, Ken Christie, Rick Rouillard, Claire Scontsas, Lisa Souza, Kathleen Ulery, Jordan Wolf, Terry O'Neil, William McCarthy, Peggy Pierce, David Ober, Russell Rowe, Robert Shattuck, Gilman Straight, Phillip Sullivan, Victoria Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Long, Douglas Ebel, Karen Hess, David Kidder, David MacKay, James Myler, Mel

Saunderson, George

Walsh, Thomas

Alicea, Caroletta Brewster, Michael McGuire, Dan Gile, Mary Hoell, J.R. Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wallner, Mary Jane French, Barbara Rice, Chip Deloge, Helen French, Harold Karrick, David Kuch, Bill Martin, John Ratzki, Mario Seaworth, Brian Wheeler, Deborah Bartlett, Christy Carson, Clyde Doherty, David Henle, Paul Kenison, Linda Luneau, David Moffett, Howard Rogers, Katherine Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Baldasaro, Alfred Borden, David Chirichiello, Brian Dean-Bailey, Yvonne Edgar, Michael Rice, Frederick Friel, William Hagan, Joseph Introne, Robert Kappler, Lawrence Lundgren, David Matthews, Carolyn Milz, David Gordon, Pamela Potucek, John Simpson, Alexis Tucker, Pamela

Abrami, Patrick Barnes, Arthur Cahill, Michael Cook, Allen DeSimone, Debra Elliott, Robert Ferrante, Beverly Ward, Gerald Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Griffin, Mary McBeath, Rebecca Nigrello, Robert Packard, Sherman Tilton, Rio Spillane, James Vose, Michael Woitkun, Steven

Allen, Mary Bates, David Cali-Pitts, Jacqueline Cushing, Robert Devine, James Emerick, J. Tracy Fesh. Robert Gannon, William Heffron, Frank Sweeney, Joe Kolodziej, Walter Major, Norman McKinney, Betsy O'Connor, John Pantelakos, Laura Schroadter, Adam Sytek, John Webb, James

Azarian, Gary Berrien, Skip Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Chase, Francis Francese, Paula Green, Dennis Hoelzel, Kathleen Ward, Joanne Lovejoy, Patricia Manning, John McMahon, Charles Osborne, Jason Peckham, Michele Sherman, Thomas True, Chris Welch, David

STRAFFORD

Baber, William Burton, Wayne DiSesa, Len Hannon, Joseph Kaen, Naida Mullen, John Southworth, Thomas Wall, Janet

Weyler, Kenneth

Berube, Roger Cheney, Catherine Gardner, Janice Horrigan, Timothy Turcotte, Leonard Schmidt, Peter Spang, Judith Wuelper, Kurt Bickford, David Cilley, Jacalyn Graham, Robert Jones, Laura Leeman, Don Pitre, Joseph Stevens, Audrey Bixby, Peter DeLemus, Susan Gray, James Ward, Kenneth Smith, Marjorie Rollo, Deanna Treleaven, Susan

SULLIVAN

Schmidt, Andrew Grenier, James Oxenham, Lee Cloutier, John Irwin, Virginia Rollins, Skip Gagnon, Raymond Laware, Thomas Smith, Steven

Gottling, Suzanne O'Hearne, Andrew **NAYS - 30**

BELKNAP

Aldrich, Glen

Howard, Raymond

Sylvia, Michael

Fraser, Valerie

CHESHIRE

Sterling, Franklin

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen

Hull, Robert

HILLSBOROUGH

Ammon, Keith Hopper, Gary Seidel, Carl

Boehm, Ralph Christiansen, Lars Forest, Armand Moore, Josh

Hogan, Edith Parison, James

MERRIMACK

McGuire, Carol

Hill, Gregory

Horn, Werner

ROCKINGHAM

Abramson, Max Hodgdon, Bruce Bush, Carol

Duarte, Joe Prudhomme-O'Brien, Katherine Gordon, Richard Guthrie, Joseph

STRAFFORD

Groen, Warren

Kaczynski, Thomas

SULLIVAN

Converse, Larry

and the committee report was adopted.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders. OUGHT TO PASS.

Rep. Geoffrey Hirsch for Criminal Justice and Public Safety. This bill prohibits any political subdivision of the state from adopting an ordinance or bylaw that restricts the residence of a sexual offender or an offender against children. When released, sex offenders tend to want to live in the community they came from to get back on their feet with the assistance of family. Local residency restrictions could defeat the purpose of the registration process, producing conditions that hamper efforts to monitor and supervise offenders. Worse, some offenders will simply go "underground" where they become impossible to track. Residency restrictions may in fact be unconstitutional beyond being a threat to public safety. This bill is supported by NH law enforcement as well as the New Hampshire Coalition Against Domestic and Sexual Violence. Vote 15-1.

MOTION TO LAY ON THE TABLE

Rep. Webb moved that HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders, be laid on the table.

Rep. Webb requested a roll call; sufficiently seconded.

YEAS 122 NAYS 237

YEAS - 122 BELKNAP

Flanders, Donald Russell, David

Gallagher, Brian Spanos, Peter

Howard, Raymond Fraser, Valerie

Hurt, George Varney, Peter

CARROLL

Avellani, Lino McConkey, Mark Chandler, Gene

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Mann, John Sterling, Franklin Hunt, John Tilton, Benjamin

COOS

Richardson, Herbert Rideout, Leon Theberge, Robert Thomas, Yvonne

GRAFTON

Brown, Duane Hennessey, Erin Johnson, Eric Bailey, Brad

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Balcom, John Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Ferreira, Elizabeth Flanagan, Jack Gonzalez, Carlos Gorman, Mary Gould, Linda Haefner, Robert Infantine, William Rice, Kimberly Hansen, Peter Hogan, Edith LeBrun, Donald Manley, Jonathan Kurk, Neal Lachance, Joseph McClarren, Donald Murotake, David Notter, Jeanine McCarthy, Peggy Christie, Rick Parison, James Pellegrino, Anthony Proulx, Mark Rouillard, Claire Sanborn, Laurie Scontsas, Lisa Rowe, Robert

Simmons, Tammy

Seidel, Carl Twombly, Timothy

MERRIMACK

Souza, Kathleen

Straight, Phillip

Turcotte, Alan Long, Douglas French, Harold Hill, Gregory Horn, Werner Kidder, David Marple, Richard Wheeler, Deborah

ROCKINGHAM

Allen, Mary Azarian, Gary Baldasaro, Alfred Bates. David Bush, Carol Chirichiello, Brian Cook, Allen Dean-Bailey, Yvonne DeSimone, Debra Devine, James Duarte, Joe Chase, Francis Rice, Frederick Ferrante, Beverly Gannon, William Green. Dennis Guthrie, Joseph Hodgdon, Bruce Sweeney, Joe Ward, Joanne Kappler, Lawrence Katsakiores, Phyllis Kolodziej, Walter Lundgren, David Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McKinney, Betsy O'Connor, John Packard, Sherman Potucek, John Gordon, Richard Spillane, James True, Chris

Prudhomme-O'Brien, Katherine

Tucker, Pamela Vose, Michael

STRAFFORD

Webb, James

DeLemus, Susan Gray, James Groen, Warren Jones, Laura Kaczynski, Thomas Turcotte, Leonard Leeman, Don Mullen, John

Wuelper, Kurt

SULLIVAN

Cloutier, John Laware. Thomas Rollins, Skip

> **NAYS - 237** BELKNAP

Aldrich, Glen Dumais, Russell Tilton, Franklin Fields. Dennis Fisher, Robert LeBreche, Shari Sylvia, Michael Vadney, Herbert

CARROLL

Butler, Edward Buco, Thomas Comeau, Ed Crawford, Karel Nelson, Bill Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Chase, Cynthia Roberts, Kris Pearson, William Shepardson, Marjorie Ames, Richard Eaton, Daniel Ley, Douglas Phillips, Larry Tatro, Bruce

Berch, Paul Emerson, Susan McConnell, James Robertson, Timothy Weber, Lucy Bordenet, John Johnsen, Gladys Parkhurst, Henry Sad. Tara

COOS

GRAFTON

Fothergill, John Rappaport, Laurence Froburg, Alethea Tholl, John Hatch, William

Moynihan, Wayne

Cooney, Mary

Higgins, Patricia

Abel, Richard Almy, Susan Darrow, Stephen Ford, Susan

Darrow, Stephen Ford, Susan
Hull, Robert Ladd, Rick
Nordgren, Sharon Brown, Rebecca
Sykes, George Townsend, Charles

Bennett, Travis Gionet, Edmond Maes, Kevin

Maes, Kevin Massimilla, Linda Shackett, Jeffrey Smith, Suzanne White, Andrew

HILLSBOROUGH

Ammon, Keith Barry, Richard Roberts, Carol Cote. David Donovan, Daniel Estevez, Eric Gargasz, Carolyn Hansberry, Daniel Hinch, Richard Katsiantonis, Thomas O'Brien, Michael McNamara, Richard Ohm, Bill Peterson, Ken Walsh, Robert Snow, Kendall Vann, Ivv Zaricki, Nick

Griffin, Barbara Beaulieu, Jane Coffey, James Sullivan, Daniel Eastman, Eric Forest, Armand Golev, Jeffrey Harvey, Suzanne Belanger, James Christiansen, Lars Mangipudi, Latha Moore, Josh Brown, Pamela Pierce, David Rosenwald, Cindy Takesian, Charlene Williams, Kermit

Backus, Robert Booras, Efstathia Cohen, Alan Danielson, David Edelblut, Frank Freitas, Mary Guerette, C. Lee Heath, Mary Jack, Martin Ober, Lynne Marston, Dick Murphy, Keith Long, Patrick Porter, Marjorie Schleien, Eric Ulery, Jordan

Baroody, Benjamin Bouldin, Amanda Cornell, Patricia DiSilvestro, Linda Edwards, Elizabeth Gagne, Larry Halstead, Carolyn Herbert, Christopher Jeudy, Jean Leishman, Peter McLean, Mark O'Neil, William Palmer, Barry Ober, Russell Shattuck, Gilman Sullivan, Victoria Woodbury, David

MERRIMACK

Alicea, Caroletta Brewster, Michael McGuire, Dan Gile, Mary Karrick, David Luneau, David Myler, Mel Saunderson, George Walsh, Thomas French, Barbara McGuire, Carol Deloge, Helen Henle, Paul Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wallner, Mary Jane Bartlett, Christy Rice, Chip Doherty, David Hess, David Kotowski, Frank Martin, John Ratzki, Mario Seaworth, Brian

Wolf, Terry

Bradley, Paula Carson, Clyde Ebel, Karen Hoell, J.R. Kuch, Bill Moffett, Howard Rogers, Katherine Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Berrien, Skip Cardon, G. Thomas Edgar, Michael Francese, Paula Harris, Jeffrey Itse, Daniel Milz, David Abrami, Patrick Borden, David Cushing, Robert Elliott, Robert Friel, William Heffron, Frank Lovejoy, Patricia Nigrello, Robert Abramson, Max Cahill, Michael Thomas, Douglas Emerick, J. Tracy Ward, Gerald Hoelzel, Kathleen McBeath, Rebecca Osborne, Jason

Barnes, Arthur
Cali-Pitts, Jacqueline
DiFranco, Debbie
Fesh, Robert
Hagan, Joseph
Introne, Robert
McMahon, Charles
Gordon, Pamela

Peckham, Michele Tilton, Rio Schroadter, Adam Pantelakos, Laura Sherman, Thomas Simpson, Alexis Sytek, John Welch, David Weyler, Kenneth Woitkun, Steven STRAFFORD Baber, William Berube, Roger Bixby, Peter Bickford, David Burton, Wayne Cheney, Catherine Cilley, Jacalyn DiSesa, Len Gardner, Janice Graham, Robert Hannon, Joseph Horrigan, Timothy Kaen, Naida Ward, Kenneth Smith, Marjorie Schmidt, Peter Pitre, Joseph Rollo, Deanna Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Wall, Janet SULLIVAN Schmidt, Andrew Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Smith, Steven and the motion failed. The question now being adoption of the committee report of Ought to Pass. Rep. Prudhomme-O'Brien spoke against. Rep. Cushing spoke in favor and yielded to questions. Rep. Baldasaro spoke against and requested a roll call; sufficiently seconded. YEAS 264 NAYS 92

YEAS - 264 BELKNAP

	_		
Aldrich, Glen Fisher, Robert	Dumais, Russell Flanders, Donald	Tilton, Franklin Gallagher, Brian	Fields, Dennis LeBreche, Shari
Russell, David	Sylvia, Michael	Vadney, Herbert	
	C	ARROLL	
Butler, Edward	Comeau, Ed	Crawford, Karel	McConkey, Mark
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Emerson, Susan	Johnsen, Gladys	Hunt, John
Roberts, Kris	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		
		coos	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Theberge, Robert	Tholl, John	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew
	HILI	SBOROUGH	
Ammon, Keith	Backus, Robert	Balcom, John	Baroody, Benjamin
Barry, Richard	Beaulieu, Jane	Biggie, Barbara	Bouldin, Amanda
Burt, John	Roberts, Carol	Coffey, James	Cohen, Alan

Cornell, Patricia DiSilvestro, Linda Forest, Armand Goley, Jeffrey Guerette, C. Lee Hansen, Peter Hinch, Richard Rice, Kimberly Lachance, Joseph Mangipudi, Latha Murotake, David Ohm. Bill Parison, James Walsh, Robert Scontsas, Lisa Takesian, Charlene

Cote. David Donovan, Daniel Freitas, Mary Gonzalez, Carlos Haefner, Robert Harvey, Suzanne Belanger, James Katsiantonis, Thomas LeBrun, Donald Marston, Dick Murphy, Keith Brown, Pamela Pierce, David Rosenwald, Cindy Shattuck, Gilman Ulery, Jordan Woodbury, David

Sullivan, Daniel Eastman, Eric Gagne, Larry Gorman, Mary Halstead, Carolyn Heath, Mary Jack, Martin Kurk, Neal Leishman, Peter McLean, Mark Notter, Jeanine Long, Patrick Porter, Marjorie Rowe, Robert Simmons, Tammy Vann, Ivv

Danielson, David Edwards, Elizabeth Gargasz, Carolyn Gould, Linda Hansberry, Daniel Herbert, Christopher Jeudy, Jean Ober, Lynne O'Brien, Michael McNamara, Richard O'Neil, William Palmer, Barry Ober, Russell Schleien, Eric Snow, Kendall Williams, Kermit

MERRIMACK

Alicea, Caroletta Brewster, Michael McGuire, Dan Gile, Mary Karrick, David Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane

Wolf, Terry

French, Barbara McGuire, Carol Deloge, Helen French, Harold Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah Bartlett, Christy Rice, Chip Doherty, David Henle, Paul Kidder, David Marple, Richard Ratzki, Mario Seaworth, Brian Bradley, Paula Carson, Clyde Ebel, Karen Hoell, J.R. Kotowski, Frank Moffett, Howard Rogers, Katherine Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew
Barnes, Arthur
Cahill, Michael
Dean-Bailey, Yvonne
Elliott, Robert
Francese, Paula
Heffron, Frank
Sweeney, Joe
Lovejoy, Patricia
McBeath, Rebecca
Gordon, Pamela
Tilton, Rio
Spillane, James
Weyler, Kenneth

Abrami, Patrick Berrien, Skip Cali-Pitts, Jacqueline Devine, James Emerick, J. Tracy Ward, Gerald Hodgdon, Bruce Ward, Joanne Griffin, Mary McMahon, Charles Packard, Sherman Schroadter, Adam Sytek, John Abramson, Max Borden, David Cook, Allen DiFranco, Debbie Chase, Francis Hagan, Joseph Hoelzel, Kathleen Kappler, Lawrence Major, Norman Milz, David Pantelakos, Laura Sherman, Thomas Vose, Michael

Azarian, Gary
Bush, Carol
Cushing, Robert
Edgar, Michael
Fesh, Robert
Harris, Jeffrey
Introne, Robert
Katsakiores, Phyllis
Matthews, Carolyn
Osborne, Jason
Potucek, John
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Ward, Kenneth Schmidt, Peter Spang, Judith Berube, Roger Cheney, Catherine Gray, James Kaen, Naida Pitre, Joseph Stevens, Audrey Bickford, David Cilley, Jacalyn Hannon, Joseph Smith, Marjorie Rollo, Deanna Treleaven, Susan Bixby, Peter DiSesa, Len Horrigan, Timothy Mullen, John Southworth, Thomas Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee
Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry Irwin, Virginia Gagnon, Raymond O'Hearne, Andrew

NAYS - 92 BELKNAP

Howard, Raymond Varney, Peter	Hurt, George	Spanos, Peter	Fraser, Valerie
variey, i etci		CARROLL	
Avellani, Lino	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank
		CHESHIRE	

Tilton, Benjamin Chase, Cynthia Sterling, Franklin

Richardson, Herbert

McConnell, James Phillips, Larry

Rideout, Leon

GRAFTON

COOS

Brown, Duane Hennessey, Erin Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Griffin, Barbara	Boehm, Ralph	Booras, Efstathia
Byron, Frank	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Hogan, Edith	Hopper, Gary	Infantine, William
Christiansen, Lars	Manley, Jonathan	McClarren, Donald	Moore, Josh
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Prouix, Mark
Christie, Rick	Rouillard, Claire	Sanborn, Laurie	Seidel, Carl
Souza, Kathleen	Straight, Phillip	Twombly, Timothy	Sullivan, Victoria
Zaricki, Nick			

MERRIMACK

Turcotte, Alan	Long, Douglas	Hess, David	Hill, Gregory
Horn, Werner	Kuch, Bill	Martin, John	Walsh, Thomas

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Cardon, G. Thomas
Chirichiello, Brian	Thomas, Douglas	DeSimone, Debra	Duarte, Joe
Rice, Frederick	Ferrante, Beverly	Friel, William	Gannon, William
Green, Dennis	Guthrie, Joseph	Itse, Daniel	Kolodziej, Walter
Manning, John	McKinney, Betsy	Nigrello, Robert	O'Connor, John
Peckham, Michele	Prudhomme-O'Brien, Katherine	Gordon, Richard	True, Chris
Tucker Pamela	Wohh James	•	•

Tucker, Pamela Webb, James

STRAFFORD

DeLemus, Susan	Graham, Robert	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don	Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted and ordered to third reading.

HB 1261, relative to multiple indictments in criminal prosecutions. INEXPEDIENT TO LEGISLATE. Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill would have prevented a grand jury from issuing more than one indictment per criminal act. Current practice allows the grand jury to return an indictment for the crime and an additional indictment for a lesser included offense, thus allowing the jury at the time of trial the option of finding the suspect guilty of the lesser crime rather than the major crime. The committee felt that removing that option would eliminate the ability of the jury to reach a just verdict and is not in accordance with the intent of the justice system. Vote 16-1. Rep. Tholl spoke in favor.

Rep. Abramson spoke against and requested a roll call; not sufficiently seconded.

On a division vote, with 287 members having voted in the affirmative, and 36 in the negative, the committee report was adopted.

HB 1318, relative to sex offender registration. OUGHT TO PASS WITH AMENDMENT.

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill changes the circumstances and criteria under which certain sex offenders may petition to have their name removed from the sex offender registry public list and be relieved from the requirement of continued registration. The bill attempts to correct the constitutional violations brought to light in the New Hampshire Supreme Court opinion of John Doe v. State of New Hampshire issued February 12, 2015. In 1987, John Doe pleaded guilty to two counts of aggravated felonious sexual assault. He was sentenced to two and a half to five years' imprisonment, which was deferred for two years. He was placed on probation for four years. As part of his sentence, he was required to attend sex counseling, which he did weekly for two years. In August 1990, his probation was terminated. On January 1, 1993, he became subject to registration as a sex offender. Sometime after 2006 he sought a declaratory judgment in superior court that RSA chapter 651-B is unconstitutional as applied to him because it violates the prohibition against retrospective laws and the Due Process Clause of the New Hampshire Constitution. The trial court ruled the act did not violate the Ex Post Facto Clause because the legislature intended the act to be regulatory, and any punitive effects of the act did not override this regulatory purpose by the clearest proof. The court also stated that it could not find the act had a punitive effect because the state's laws are presumed constitutional. This lead to an appeal the New Hampshire Supreme Court. Quoting from the judgment: "In summary, our analysis leads us to conclude that RSA chapter 651-B has a punitive effect as applied to the petitioner. We recognize the important interests that the legislature seeks to further with this statute, but in our view, the punitive effect of the current act is enough to overcome any non-punitive legislative intent as to this petitioner. Absent the lifetime-registration-without-review provision, we would not find the other effects of the act sufficiently punitive to overcome the presumption of its constitutionality. Accordingly, to prevent an untoward result that would substantially undermine the act's public protection goals, we conclude that the act can be enforced against the petitioner consistently with the constitutional probation against retrospective laws only if he is promptly given as opportunity for either a court hearing, or an administrative hearing subject to judicial review, at which he is permitted to demonstrate that he no longer poses a risk sufficient to justify continued registration. If the hearing results in a finding that he has made the required showing that he is not a danger to the public he must be relieved from the requirements of registration. If after such a hearing, it is determined that he has not made the required showing, he must continue to comply with the act, but thereafter he must be afforded periodic opportunities for further hearings, at reasonable intervals, to revisit whether registration continues to be necessary." This bill seeks to resolve the constitutional issues with the law. Vote 13-2.

Amendment (0819h)

Amend the bill by replacing all after the enacting clause with the following:

1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 to read as follows:

651-B:6 Duration of Registration.

I. Subject to the provisions of paragraph IV, all tier II or tier III offenders shall be registered for life.

II. All tier I offenders shall be registered for a 10-year period from the date of release, provided that any such registration period shall not run concurrently with any registration period resulting from a subsequent violation or attempted violation of an offense for which the person is required to register.

III.(a)[(1) All tier III offenders shall remain on the public list contained in RSA 651-B:7 for life:

(2)] A tier II or tier III offender may petition the superior court to have his or her name and information removed from the public list. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence and in no case earlier than 15 years after the date of release. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense. The court may grant the petition only if the offender is not under arrest or indictment for, or has not been convicted of, any [felony, class A misdemeanor,] sex offense[,] or offense against a child, has successfully completed any periods of supervised release, probation, or parole, and has successfully completed an appropriate sex offender treatment program as determined by the court. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

- [(3)] (b) A tier I offender may petition the superior court to have his or her name and other information removed from the public list. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence and in no case earlier than 5 years after the date of release. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense. The court may grant the petition only if the offender is not under arrest or indictment for, or has not been convicted of, any [felony, class A misdemeanor,] sexual offense[5] or offense against a child, has successfully completed any periods of supervised release, probation, or parole, and has successfully completed an appropriate sex offender treatment program as determined by the court.
- [(b) Prior to granting any petition to remove an offender from the public list, the court shall provide notice to the county attorney who prosecuted the case, the victim advocate, and the victim or victim's family, and permit those parties to be heard on the petition. Prior to any decision granting the application, the court shall provide the victim with the opportunity to address the court. The victim may appear personally, or by counsel, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim pursuant to this section when making a decision regarding the application. The judge shall grant the application, after a hearing, only where, in the opinion of the court, removal from the registration requirements will assist the individual in the individual's rehabilitation and will be consistent with the public welfare.]
- IV. A tier II or tier III offender may petition the superior court during his or her month of birth to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any supervision, and in no case earlier than 15 years after the date of release from a tier II offender's most recent conviction that required registration, and in the case of a tier III offender no earlier than 25 years after the date of release from the tier III offender's most recent conviction that required registration. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the offender is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The court may grant the petition only if the petitioner is not under arrest or indictment for, or has been convicted of, any sex offense or offense against a child since the most recent qualifying conviction requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, has demonstrated compliance with registration requirements for 15 years, and he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. If the court denies the petition, the petitioner shall not file another petition under this section for 5 years from the date of the court's denial. Such petition shall not be filed or addressed as part of a criminal case.
- V.(a) Prior to granting any petition to remove an offender from the public list, the court shall provide notice to the county attorney who prosecuted the case, the victim advocate, and the victim or victim's family, and permit those parties to be heard on the petition. Prior to any decision granting the petition, the court shall provide the victim with the opportunity to address the court. The victim may appear personally, or through a representative, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim pursuant to this section when making a decision regarding the petition. The judge shall grant the petition, after a hearing, only where, in the opinion of the court, removal from the public list will assist the individual in the individual's rehabilitation and will be consistent with the public welfare.

(b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney who prosecuted the most recent offense requiring registration, the victim advocate, the victim or victim's family, the department of safety sex offender unit, and the department of corrections, and shall permit those parties to be heard on the petition. If the most recent conviction requiring registration is an out of state conviction, notice shall be given to the county attorney in the county where the offender is currently residing. Prior to any decision granting the petition, the court shall provide the victim or victim's family with the opportunity to address the court. The victim or victim's family may appear personally, or through a representative, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim or victim's family pursuant to this section when rendering a decision regarding the petition. The judge shall grant the petition, after a hearing, only where, in the opinion of the court, the petitioner has proven by clear and convincing evidence that he or she no longer poses a risk sufficient to justify continued registration and is not a danger to the public.

[FV-] VI. Any offender who was convicted before January 1, 1994, and who has fully served all aspects of his or her sentence and has not re-offended may petition the superior court to be relieved from the requirements of registration. The petition shall be subject to the requirements of paragraph IV, except that the offender shall not be required to wait the 15 or 25 years, or for the month of his or her birth. The hearing shall be held in accordance with the requirements of subparagraph V(b). The offender shall pay the costs of the legal service in connection with hearing. The petitioner shall have the right to counsel. If the court denies the petition, the offender shall not file another

petition under this section for 5 years from the date of the court's denial.

VII. Registration of any juvenile required to register pursuant to RSA 651-B:1, XI(a)(3) or (4) shall end when the juvenile turns 17 years of age unless the court which adjudicated the juvenile as a delinquent retains jurisdiction over the juvenile pursuant to RSA 169-B:4, V, in which case registration of the juvenile shall end when the court terminates jurisdiction over the juvenile's case. When the registration of a juvenile terminates, the department shall remove information relating to the juvenile from the SOR system and records of the juvenile's registration shall be handled in accordance with RSA 169-B:35 and RSA 169-B:36.

2 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:

I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. [The offender] Either party shall have the right to appeal the commissioner's decision in superior court.

3 Effective Date. This act shall take effect 60 days after its passage.

MOTION TO LAY ON THE TABLE

Rep. Tholl moved that **HB 1318**, relative to sex offender registration, be laid on the table. Motion adopted.

REGULAR CALENDAR PART III CONT'D

HB 1610-FN, legalizing the possession and cultivation of marijuana for personal use. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants by individuals, of which 3 could be adult plants which could produce up to 3 pounds. The committee heard testimony from many sources, including the proponents of legalization, that marijuana is not a harmless drug. The majority of the committee felt that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 in obtaining the drug from either legal or illicit means. The committee felt that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addiction, that now is not the time to legalize a drug that is illegal under federal statutes. Vote 9-4.

MOTION TO LAY ON THE TABLE

Rep. Tholl moved that **HB 1610-FN**, legalizing the possession and cultivation of marijuana for personal use, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 229 NAYS 119

YEAS - 229 BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	LeBreche, Shari	Russell, David
Spanos, Peter	Varney, Peter		

CARROLL

Buco, Thomas	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
Umberger, Karen			

CHESHIRE Amos Bishard Tiltan Banjamia

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Chase, Cynthia
Emerson, Susan	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Almy, Susan	Cooney, Mary	Brown, Duane	Hennessey, Erin
Johnson, Eric	Ford, Susan	Higgins, Patricia	Maes, Kevin
Brown, Rebecca	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Griffin, Barbara	Backus, Robert	Balcom, John	Baroody, Benjamin
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Byron, Frank
Christensen, Chris	Roberts, Carol	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	DiSilvestro, Linda	Donovan, Daniel
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Hogan, Edith	Infantine, William	Belanger, James	Jack, Martin
Jeudy, Jean	Kurk, Neal	Ober, Lynne	LeBrun, Donald
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	McClarren, Donald	Moore, Josh	O'Neil, William
Ohm, Bill	Brown, Pamela	Long, Patrick	McCarthy, Peggy
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Ober, Russell	Walsh, Robert
Rosenwald, Cindy	Rowe, Robert	Seidel, Carl	Shattuck, Gilman
Snow, Kendall	Souza, Kathleen	Straight, Phillip	Takesian, Charlene
Twombly, Timothy	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Turcotte, Alan	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Doherty, David	Ebel, Karen	Henle, Paul
Hill, Gregory	Hom, Werner	Karrick, David	Kenison, Linda
Kidder, David	Kotowski, Frank	Luneau, David	MacKay, James

Zaricki, Nick

Marple, Richard	Moffett, Howard	Myler, Mel	Patten, Dick
Schuett, Dianne	Shurtleff, Stephen	Walsh, Thomas	Wallner, Mary Jane
Wheeler, Deborah	DOC.	TENEDIC TENED	
		CKINGHAM	
Christie, Andrew	Abrami, Patrick	Allen, Mary	Azarian, Gary
Barnes, Arthur	Berrien, Skip	Bush, Carol	Cahill, Michael
Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen	Thomas, Douglas
DeSimone, Debra	Devine, James	Duarte, Joe	Elliott, Robert
Chase, Francis	Rice, Frederick	Ferrante, Beverly	Fesh, Robert
Francese, Paula	Gannon, William	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Ward, Joanne	Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter
Lovejoy, Patricia	Griffin, Mary	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
O'Connor, John	Gordon, Pamela	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Gordon, Richard	Tilton, Rio
Sherman, Thomas	Simpson, Alexis	Sytek, John	Tucker, Pamela
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
	ST	RAFFORD	
Baber, William	Burton, Wayne	Cheney, Catherine	Gray, James
Horrigan, Timothy	Turcotte, Leonard	Leeman, Don	Mullen, John
Schmidt, Peter	Pitre, Joseph	Rollo, Deanna	Southworth, Thomas
•		Treleaven, Susan	Wall, Janet
Sprague, Dale	Stevens, Audrey	rreleaven, Susan	Wall, Jailet
	SU	JLLIVAN	
Cloutier, John O'Hearne, Andrew	Gagnon, Raymond Smith, Steven	Gottling, Suzanne	Grenier, James
	N	AYS - 119	
	В	ELKNAP	
Aldrich, Glen	Fisher, Robert	Howard, Raymond	Sylvia, Michael
Fraser, Valerie	Vadney, Herbert	, , ,	,,
r and r		ARROLL	
Avellani, Lino	Butler, Edward	Comeau, Ed	Ticehurst, Susan
	C	HESHIRE	
Beeck Beeck			Johnson Gladus
Berch, Paul	Bordenet, John	Eaton, Daniel	Johnsen, Gladys
Ley, Douglas	McConnell, James	Phillips, Larry	Robertson, Timothy
		COOS	
Rideout, Leon	C	RAFTON	
			Dames Otenhan
Abel, Richard	Bailey, Brad	Bennett, Travis	Darrow, Stephen
Gionet, Edmond	Hull, Robert	Ingbretson, Paul	Massimilla, Linda
Nordgren, Sharon	****	CDODOLICII	
	HILL	SBOROUGH	
Adams, Christopher	Ammon, Keith	Beaulieu, Jane	Bouldin, Amanda
Burt, John	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Guerette, C. Lee	Herbert, Christopher	Rice, Kimberly	Katsiantonis, Thomas
Christiansen, Lars	Lachance, Joseph	McLean, Mark	McNamara, Richard
Murotake, David	Murphy, Keith	Notter, Jeanine	Parison, James
Christie, Rick	Rouillard, Claire	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy	Ulery, Jordan	Sullivan, Victoria	Vann, Ivy
Zarioki Niek	,,	,	•

MERRIMACK

Alicea, Caroletta Long, Douglas	Brewster, Michael McGuire, Dan	McGuire, Carol Deloge, Helen	Carson, Clyde French, Harold
Hoell, J.R.	Kuch, Bill	Martin, John	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Cali-Pitts, Jacqueline
Cushing, Robert	Dean-Bailey, Yvonne	DiFranco, Debbie	Edgar, Michael
Emerick, J. Tracy	Friel, William	Ward, Gerald	Green, Dennis
Heffron, Frank	Itse, Daniel	Sweeney, Joe	Nigrello, Robert
Osborne, Jason	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Spillane, James
True, Chris	Vose, Michael		

STRAFFORD

Bickford, David	Bixby, Peter	Cilley, Jacalyn	DeLemus, Susan
Gardner, Janice	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Ward, Kenneth	Kaczynski, Thomas	Kaen, Naida
Smith, Marjorie	Spang, Judith	Wuelper, Kurt	

SULLIVAN

Schmidt, Andrew	Converse, Larry	Irwin, Virginia	Laware, Thomas
Oxenham, Lee	Rollins, Skip		

and the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HB 1414, repealing the home education advisory council. INEXPEDIENT TO LEGISLATE. Rep. Ralph Boehm for Education. This bill repeals the Home Education Advisory Council (HEAC). This council is needed and wanted by the majority of home school parents. It is the buffer between the State Board of Education and home schoolers. A statement from some home school parents made several years ago when another bill tried to do the same thing indicated that the HEAC is the only protection they have. The council also exists to advise parents who wish to home school as to the state laws, and if needed, recommend laws. There are two Representatives and one Senator on the HEAC as non-voting members. The HEAC also gives feedback to the State Board of Education on any proposed rules dealing with home education. This bill, if passed, will seriously affect home schooling in New Hampshire. Vote 19-1.

Rep. Boehm spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 273 NAYS 71

YEAS - 273 RELKNAP

	1	BELKNAP	
Dumais, Russell Gallagher, Brian Spanos, Peter	Tilton, Franklin Hurt, George Vadney, Herbert	Fields, Dennis LeBreche, Shari	Flanders, Donald Russell, David
		CARROLL	
Avellani, Lino Cordelli, Glenn Nelson, Bill	Buco, Thomas Crawford, Karel Schmidt, Stephen	Butler, Edward McCarthy, Frank Ticehurst, Susan	Comeau, Ed McConkey, Mark Umberger, Karen
	(CHESHIRE	
Abbott, Michael Bordenet, John Johnsen, Gladys	Ames, Richard Chase, Cynthia Hunt, John	Tilton, Benjamin Eaton, Daniel Roberts, Kris	Berch, Paul Emerson, Susan Ley, Douglas

COOS

Mann, John Robertson, Timothy Tatro. Bruce Parkhurst, Henry Sad, Tara Weber, Lucy Pearson, William Shepardson, Marjorie Phillips, Larry Sterling, Franklin

Fothergill, John Rappaport, Laurence Thomas, Yvonne

Froburg, Alethea Richardson, Herbert Hatch, William Theberge, Robert Moynihan, Wayne Tholl, John

GRAFTON

Abel, Richard Cooney, Mary Gionet, Edmond Massimilla, Linda Sykes, George Almy, Susan Hennessey, Erin Higgins, Patricia Nordgren, Sharon Townsend, Charles Bailey, Brad Johnson, Eric Ingbretson, Paul Brown, Rebecca

Bennett, Travis Ford, Susan Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Byron, Frank Cohen, Alan Danielson, David Forest, Armand Goley, Jeffrey Guerette, C. Lee Harvey, Suzanne Hogan, Edith Rice, Kimberly Ober, Lynne Manley, Jonathan McNamara, Richard Long, Patrick Peterson, Ken Ober, Russell Rowe, Robert Shattuck, Gilman

Balcom, John Biggie, Barbara Christensen, Chris Cornell, Patricia DiSilvestro, Linda Freitas, Marv Gonzalez, Carlos Haefner, Robert Heath, Mary Belanger, James Katsiantonis, Thomas LeBrun, Donald Marston, Dick O'Neil, William McCarthy, Peggy Pierce, David Walsh, Robert Sanborn, Laurie Simmons, Tammy Ulery, Jordan

Baroody, Benjamin Boehm, Ralph Roberts, Carol Cote, David Donovan, Daniel Gagne, Larry Gorman, Mary Halstead, Carolyn Herbert, Christopher Jack, Martin Kurk, Neal Leishman, Peter McClarren, Donald Ohm. Bill Palmer, Barry Porter, Marjorie Rosenwald, Cindy Scontsas, Lisa Snow, Kendall Vann, Ivy

Barry, Richard Bouldin, Amanda Coffey, James Sullivan, Daniel Flanagan, Jack Gargasz, Carolyn Gould, Linda Hansberry, Daniel Hinch, Richard Jeudy, Jean Christiansen, Lars Mangipudi, Latha McLean, Mark Brown, Pamela Pellegrino, Anthony Proulx, Mark Rouillard, Claire Seidel, Carl Straight, Phillip Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Deloge, Helen French, Harold Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah

Takesian, Charlene

Wolf, Terry

Alicea, Caroletta Rice, Chip Doherty, David Henle, Paul Kotowski, Frank Marple, Richard Ratzki, Mario Shurtleff, Stephen

Woodbury, David

French, Barbara Carson, Clyde Ebel, Karen Hess, David Kuch, Bill Moffett, Howard Rogers, Katherine Walsh, Thomas

Bartlett, Christy Long, Douglas Gile, Mary Karrick, David Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Berrien, Skip Chirichiello, Brian Dean-Bailey, Yvonne Edgar, Michael Ferrante, Beverly Ward, Gerald Hoelzel, Kathleen Allen, Mary Cahill, Michael Cook, Allen DeSimone, Debra Elliott, Robert Fesh, Robert Hagan, Joseph Introne, Robert Azarian, Gary Cali-Pitts, Jacqueline Cushing, Robert Devine, James Chase, Francis Francese, Paula Harris, Jeffrey Sweeney, Joe

Bates, David Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Rice, Frederick Friel, William Heffron, Frank Katsakiores. Phyllis

	TIOODE TOOM			
Kolodziej, Walter Manning, John McMahon, Charles Packard, Sherman Sherman, Thomas Weyler, Kenneth	Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Simpson, Alexis Woitkun, Steven	Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Sytek, John	Major, Norman McKinney, Betsy Gordon, Pamela Potucek, John Welch, David	
	ST	RAFFORD		
Baber, William Cheney, Catherine Horrigan, Timothy Smith, Marjorie Southworth, Thomas Treleaven, Susan	Bickford, David Cilley, Jacalyn Ward, Kenneth Mullen, John Spang, Judith Wall, Janet	Bixby, Peter Gardner, Janice Kaen, Naida Schmidt, Peter Sprague, Dale	Burton, Wayne Gray, James Leeman, Don Rollo, Deanna Stevens, Audrey	
		ULLIVAN		
Schmidt, Andrew Gottling, Suzanne O'Hearne, Andrew	Cloutier, John Grenier, James Oxenham, Lee	Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond Laware, Thomas	
	ľ	NAYS - 71		
	H	BELKNAP		
Aldrich, Glen Fraser, Valerie	Fisher, Robert Varney, Peter	Howard, Raymond	Sylvia, Michael	
	C	HESHIRE		
McConnell, James		coos		
Rideout, Leon		RAFTON		
Brown, Duane	Darrow, Stephen	Hull, Robert		
Diomi, Daario	, , ,	,		
Adama Ohristanhar	Ammon, Keith	LSBOROUGH	Durt John	
Adams, Christopher Eastman, Eric Hansen, Peter Murphy, Keith Schleien, Eric Zaricki, Nick	Edelblut, Frank Lachance, Joseph Notter, Jeanine Souza, Kathleen	Griffin, Barbara Estevez, Eric Moore, Josh Parison, James Twombly, Timothy	Burt, John Ferreira, Elizabeth Murotake, David Christie, Rick Sullivan, Victoria	
MERRIMACK				
Brewster, Michael Hoell, J.R.	McGuire, Carol Horn, Werner	McGuire, Dan Martin, John	Hill, Gregory Seaworth, Brian	
ROCKINGHAM				
Christie, Andrew Bush, Carol Green, Dennis Ward, Joanne Gordon, Richard Tucker, Pamela	Abramson, Max Duarte, Joe Guthrie, Joseph Kappler, Lawrence Schroadter, Adam Vose, Michael	Baldasaro, Alfred Emerick, J. Tracy Hodgdon, Bruce Osborne, Jason Spillane, James	Barnes, Arthur Gannon, William Itse, Daniel Prudhomme-O'Brien, Katherine True, Chris	

STRAFFORD

Graham, Robert Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Turcotte, Leonard Pitre, Joseph Wuelper, Kurt

SULLIVAN

Rollins, Skip and the committee report was adopted.

HB 1497, relative to the limits on disclosure of information used on college entrance exams. OUGHT TO PASS.

Rep. Glenn Cordelli for Education. Since the SAT or ACT can now be used as the statewide assessment in high school, this bill incorporates them into our privacy statutes. In addition, it adds an optout provision to have personal information destroyed by the SAT or ACT testing entity. Vote 19-0. Committee report adopted and ordered to third reading.

HB 1143, relative to showing a ballot. INEXPEDIENT TO LEGISLATE.

Rep. William Gannon for Election Law. This bill would repeal the prohibition on a voter taking a digital image of his or her marked ballot. A US District Court order on this issue is currently being appealed. The majority believes that this legislation should not be adopted. We believe in the sanctity of the secret ballot. In early NH history, there was often coercion at the voting booth. We want the voter to feel free from all intimidation and outside pressures when casting a ballot. Voting is one of the most fundamental rights and its sanctity should be defended at all costs. Vote 17-0. Rep. Rideout spoke against.

The Speaker ruled the debate by Rep. Rideout out of order.

APPEAL OF THE RULING OF THE CHAIR

Rep. Rideout challenged the ruling of the Chair on the ruling that debate was out of order.

The question being shall the ruling of the Chair be upheld? Ruling of the Chair upheld.

The question now being adoption of the committee report of Inexpedient to Legislate. Rep. Gannon spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Hoelzel moved that HB 1143, relative to showing a ballot, be laid on the table.

Rep. Rideout requested a roll call; sufficiently seconded.

Bennett, Travis

Gionet, Edmond

Nordgren, Sharon

Bailey, Brad Ford, Susan

Massimilla, Linda

Townsend, Charles

YEAS 221 NAYS 119 YEAS - 221

REI KNAD

GRAFTON

Brown, Duane

Higgins, Patricia

Smith, Suzanne

Darrow, Stephen

Maes, Kevin

Sykes, George

	В	ELKNAP	
Dumais, Russell	Tilton, Franklin	Fields, Dennis	Gallagher, Brian
LeBreche, Shari	Russell, David	Spanos, Peter	
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Schmidt, Stephen	Umberger, Karen
	CI	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Ley, Douglas
Mann, John	McConnell, James	Parkhurst, Henry	Pearson, William
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			
		COOS	
Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholi, John	Thomas, Yvonne	

HILLSBOROUGH

Griffin, Barbara
Barry, Richard
Cohen, Alan
Danielson, David
Forest, Armand
Gonzalez, Carlos
Hansen, Peter
Hopper, Gary
Christiansen, Lars
O'Brien, Michael
McNamara, Richard
McCarthy, Peggy
Proulx, Mark
Rowe, Robert
Twombly, Timothy

Backus, Robert
Beaulieu, Jane
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Gorman, Mary
Harvey, Suzanne
Belanger, James
Ober, Lynne
Mangipudi, Latha
O'Neil, William
Pellegrino, Anthony
Ober, Russell
Snow, Kendall
Williams, Kermit

Balcom, John
Christensen, Chris
Cote, David
Donovan, Daniel
Gargasz, Carolyn
Haefner, Robert
Heath, Mary
Jeudy, Jean
LeBrun, Donald
Manley, Jonathan
Brown, Pamela
Pierce, David
Walsh, Robert
Straight, Phillip
Woodbury, David

Baroody, Benjamin Roberts, Carol Sullivan, Daniel Estevez, Eric Goley, Jeffrey Hansberry, Daniel Hinch, Richard Kurk, Neal Leishman, Peter Marston, Dick Long, Patrick Porter, Marjorie Rosenwald, Cindy Takesian, Charlene

MERRIMACK

Turcotte, Alan Rice, Chip Henle, Paul Kenison, Linda MacKay, James Myler, Mel Saunderson, George Wallner, Mary Jane Alicea, Caroletta Deloge, Helen Hess, David Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wheeler, Deborah

Abrami, Patrick

French, Barbara Doherty, David Horn, Werner Kuch, Bill Martin, John Ratzki, Mario Shurtleff, Stephen Bradley, Paula Ebel, Karen Karrick, David Luneau, David Moffett, Howard Rogers, Katherine Walsh, Thomas

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cali-Pitts, Jacqueline Devine, James Rice, Frederick Ward, Gerald Hoelzel, Kathleen Kolodziej, Walter Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Sytek, John Woitkun. Steven

Berrien, Skip Chirichiello, Brian DiFranco, Debbie Fesh, Robert Gannon, William Introne, Robert Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Webb, James Allen, Mary
Bush, Carol
Cushing, Robert
Elliott, Robert
Francese, Paula
Guthrie, Joseph
Sweeney, Joe
Major, Norman
McKinney, Betsy
Gordon, Pamela
Sherman, Thomas
Welch, David

Azarian, Gary
Cahill, Michael
DeSimone, Debra
Chase, Francis
Friel, William
Hagan, Joseph
Katsakiores, Phyllis
Manning, John
McMahon, Charles
Packard, Sherman
Simpson, Alexis
Weyler, Kenneth

Baber, William Cheney, Catherine Ward, Kenneth Mullen, John Stevens, Audrey

Schmidt, Andrew Grenier, James Smith, Steven Bickford, David Cilley, Jacalyn Kaen, Naida Schmidt, Peter Wall, Janet

Cloutier, John Irwin, Virginia STRAFFORD

Bixby, Peter
Gray, James
Leeman, Don
Rollo, Deanna

SULLIVAN

Gagnon, Raymond O'Hearne, Andrew Burton, Wayne Horrigan, Timothy Smith, Marjorie Spang, Judith

Gottling, Suzanne Oxenham, Lee

NAYS - 119 BELKNAP

Aldrich, Glen Hurt, George Varney, Peter Fisher, Robert Sylvia, Michael Flanders, Donald Fraser, Valerie

Howard, Raymond Vadney, Herbert

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Ticehurst, Susan

CHESHIRE

Robertson, Timothy

COOS

Froburg, Alethea

Rappaport, Laurence

Rideout, Leon

GRAFTON

Abel. Richard Johnson, Eric Almy, Susan Hull, Robert

Cooney, Mary

Hennessey, Erin

HILLSBOROUGH

Adams, Christopher Burt, John Edelblut, Frank Gould, Linda Rice, Kimberly McLean, Mark

Notter, Jeanine Christie, Rick Scontsas, Lisa Ulery, Jordan Zaricki. Nick

Ammon, Keith Byron, Frank Edwards, Elizabeth Hogan, Edith Katsiantonis, Thomas Moore, Josh Ohm, Bill Rouillard, Claire Seidel, Carl Sullivan, Victoria

Boehm, Ralph Coffey, James Ferreira, Elizabeth Infantine, William Lachance, Joseph Murotake, David Parison, James Sanborn, Laurie Simmons, Tammy Vann, Ivy

Bouldin, Amanda Eastman, Eric Gagne, Larry Jack, Martin McClarren, Donald Murphy, Keith Peterson, Ken Schleien, Eric Souza, Kathleen Wolf, Terry

MERRIMACK

Bartlett, Christy Long, Douglas Hill, Gregory

Brewster, Michael McGuire, Dan Hoell, J.R.

McGuire, Carol Gile, Mary Seaworth, Brian Carson, Clyde French, Harold

ROCKINGHAM

Abramson, Max Cook, Allen Edgar, Michael Harris, Jeffrey Ward, Joanne

Potucek, John Schroadter, Adam Vose, Michael DeLemus, Susan

Baldasaro, Alfred Thomas, Douglas Emerick, J. Tracy Heffron, Frank Kappler, Lawrence

Prudhomme-O'Brien, Katherine Gordon, Richard Spillane, James

Bates, David Dean-Bailey, Yvonne Ferrante, Beverly Hodadon, Bruce Lovejoy, Patricia

Cardon, G. Thomas Duarte, Joe Green, Dennis Itse. Daniel Osborne, Jason Tilton, Rio Tucker, Pamela

STRAFFORD

Hannon, Joseph Pitre, Joseph

Gardner, Janice Jones, Laura Southworth, Thomas Graham, Robert Kaczynski, Thomas Treleaven, Susan

Groen, Warren Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Converse, Larry

Laware, Thomas

Rollins, Skip

True, Chris

and the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HB 1144-L, relative to notice for sessions of correction of the check list. OUGHT TO PASS WITH AMENDMENT.

Rep. Kathleen Souza for Election Law. This bill, as amended, removes an obsolete notice requirement for meetings of Supervisors of the Checklist to register voters and makes the notice language consistent with RSA 91-A, the Right to Know law. This bill changes the newspaper notification from mandatory to optional. Testimony showed that citizens do not rely on small notices in the newspaper, that the meetings are well noticed by other means, and that recent changes in the law allow citizens to register to vote, make changes, etc., with the Town or City Clerk at any time throughout the year, at their convenience. This bill provides for notice to be given on the town or city's website, if such exists, or in a newspaper, plus at least one other appropriate location. Vote 19-0.

Amendment (0212h)

Amend the bill by replacing all after the enacting clause with the following:

1 Correction of Checklist; Notice. Amend RSA 654:27 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or [and] shall be [published] printed in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [advertise] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or printed at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [advertise and] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, or published at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill modifies requirements for notice of sessions for the correction or verification of the checklist. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Bates offered floor amendment (0403h).

Floor Amendment (0403h)

Amend the bill by replacing sections 2 and 3 with the following:

2 Verification of Checklist; Notice. Amend RSA 654:38, I to read as follows:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall [advertise] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and printed at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

3 Verification of Checklist; Notice. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall [advertise and] post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

Rep. Bates spoke in favor.

Rep. Gray spoke against.

On a division vote, with 271 members having voted in the affirmative, and 71 in the negative, floor amendment (0403h) was adopted.

Committee report adopted and ordered to third reading.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. **OUGHT TO PASS WITH AMENDMENT**.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill as amended prohibits licensed counselors to engage in conversion therapy with a person under 18 years of age. It also allows unlicensed counselors to be sued over conversion therapy. The committee heard overwhelming testimony as to the harms of conversion therapy and no evidence that it is even effective. Vote 17-0.

Amendment (0067h)

Amend the introductory paragraph of RSA 332-L:3, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Advertise for the provision of conversion therapy for monetary compensation in exchange for such services where such advertising claims:

Amend the bill by deleting RSA 332-L:4 as inserted by section 2 of the bill.

MOTION TO LIMIT DEBATE

Reps. Hinch and Shurtleff moved to limit debate on **HB 1661-FN**, relative to conversion therapy seeking to change a person's sexual orientation, to 15 minutes on each side, including questions.

MOTION TO LAY ON THE TABLE

Rep. Ohm moved that HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation, be laid on the table.

Rep. Schleien requested a roll call; sufficiently seconded.

YEAS 167 NAYS 175

YEAS - 167 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Flanders, Donald
Gallagher, Brian	Howard, Raymond	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Sylvia, Michael	Fraser, Valerie
	C	ARROLL	
Avellani, Lino	Buco, Thomas	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark		,
	C	HESHIRE	
Tilton, Benjamin	Bordenet, John	Hunt, John	McConnell, James
Parkhurst, Henry	Sterling, Franklin		
		COOS	
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
	G	RAFTON	
Bailey, Brad	Bennett, Travis	Brown, Duane	Darrow, Stephen
Johnson, Eric	Hull, Robert	Diomi, Dualio	Danon, Otophon
,			

HILLSBOROUGH

Adams, Christopher	Griffin, Barbara	Balcom, John	Baroody, Benjamin
Biggie, Barbara	Boehm, Raiph	Burt, John	Byron, Frank
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Forest, Armand	Gagne, Larry

Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Guerette, C. Lee
Haefner, Robert	Hansen, Peter	Hogan, Edith	Hopper, Gary
Infantine, William	Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal
Christiansen, Lars	Ober, Lynne	LeBrun, Donald	Marston, Dick
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Proulx, Mark	Christie, Rick
Ober, Russell	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Straight, Phillip	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria		
	ME	CRRIMACK	
Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Gile, Mary	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
Patten, Dick	Ratzki, Mario	Wheeler, Deborah	
	ROG	CKINGHAM	
Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol
Chirichiello, Brian	Cook, Allen	Thomas, Douglas	Dean-Bailey, Yvonne
DeSimone, Debra	Devine, James	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Chase, Francis	Rice, Frederick	Fesh, Robert
Friel, William	Gannon, William	Green, Dennis	Hagan, Joseph
· ·	Introne, Robert	Itse. Daniel	Ward, Joanne
Hodgdon, Bruce	· ·		· ·
Kappier, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Griffin, Mary
Manning, John	McKinney, Betsy	Nigrello, Robert	Potucek, John
Prudhomme-O'Brien, Katherine	•	Schroadter, Adam	Spillane, James
Sytek, John Webb, James	True, Chris Welch, David	Tucker, Pamela Weyler, Kenneth	Vose, Michael Woitkun, Steven
Wobb, barries	·	•	TTOILLAIT, STOTOIT
		RAFFORD	
Bickford, David	Cheney, Catherine	DeLemus, Susan	Gardner, Janice
Graham, Robert	Groen, Warren	Kaczynski, Thomas	Turcotte, Leonard
Leeman, Don	Mullen, John	Pitre, Joseph	Wuelper, Kurt
	S	ULLIVAN	
Schmidt, Andrew	Gagnon, Raymond	Laware, Thomas	Rollins, Skip
	N	AYS - 175	
	В	BELKNAP	
Fields, Dennis	Fisher, Robert	Vadney, Herbert	Varney, Peter
	C	CARROLL	
Butler, Edward	Chandler, Gene	Comeau, Ed	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	,	, -
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Johnsen, Gladys	Roberts, Kris
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Weber, Lucy
Hobertoon, Timothy	oau, rara	oneparason, marjone	TTODOI, LUCY
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John		

GRAFTON

Abel, Richard Almy, Susan Cooney, Mary Hennessey, Erin Ford, Susan Gionet, Edmond Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Ammon, Keith Backus, Robert Barry, Richard Beaulieu. Jane Bouldin, Amanda Christensen, Chris Roberts, Carol Coffey, James Cohen, Alan Cornell, Patricia Cote, David Sullivan, Daniel DiSilvestro, Linda Edwards, Elizabeth Freitas, Mary Goley, Jeffrey Gorman, Mary Hansberry, Daniel Harvey, Suzanne Heath, Mary Hinch, Richard Belanger, James Jack, Martin Rice, Kimberly Lachance, Joseph Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Neil, William Brown, Pamela Long, Patrick McCarthy, Peggy Pierce, David Porter, Marjorie Walsh, Robert Rosenwald, Cindy Rouillard, Claire Schleien, Eric Shattuck, Gilman Snow, Kendall Takesian, Charlene Vann, Ivv Williams, Kermit Wolf, Terry Woodbury, David Zaricki, Nick

MERRIMACK

Turcotte, Alan Alicea. Caroletta French, Barbara Bartlett, Christy Bradley, Paula Rice, Chip Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Henle, Paul Hess. David Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Myler, Mel Rogers, Katherine Saunderson, George Schuett, Dianne Seaworth, Brian Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael Christie, Andrew Berrien, Skip Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Edgar, Michael Ferrante, Beverly Francese, Paula Ward, Gerald Guthrie, Joseph Harris, Jeffrey Heffron, Frank Hoelzel, Kathleen Sweeney, Joe Lovejoy, Patricia Major, Norman Matthews, Carolyn McBeath, Rebecca McMahon, Charles O'Connor, John Osborne, Jason Gordon, Pamela Packard, Sherman Peckham, Michele Pantelakos, Laura Tilton, Rio Sherman, Thomas Simpson, Alexis

STRAFFORD

Baber, William Bixby, Peter Burton, Wayne Cilley, Jacalyn Gray, James Hannon, Joseph Horrigan, Timothy Jones, Laura Ward, Kenneth Kaen, Naida Smith, Marjorie Schmidt, Peter Rollo, Deanna Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Smith, Steven

and the motion failed.

The question now being adoption of the motion to limit debate.

Rep. Hoell moved to amend the motion to allow 45 minutes for each side, including questions. On a division vote, with 61 members having voted in the affirmative, and 280 in the negative, the motion failed.

The question now being adoption of the motion to limit debate to 15 minutes on each side, including questions.

Rep. Chris Christensen moved to amend the motion to running time.

Rep. Brewster requested a roll call; sufficiently seconded.

YEAS 213 NAYS 129

YEAS - 213 BELKNAP

	D.	ELKNAF	
Dumais, Russell Flanders, Donald LeBreche, Shari	Tilton, Franklin Gallagher, Brian Russell, David	Fields, Dennis Howard, Raymond Fraser, Valerie	Fisher, Robert Hurt, George Varney, Peter
	C	ARROLL	
Buco, Thomas	Comeau, Ed	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	McConnell, James	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	
		coos	
Froburg, Alethea Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne	Rappaport, Laurence
	G	RAFTON	
Abel, Richard	Bailey, Brad	Bennett, Travis	Cooney, Mary
Brown, Duane	Hennessey, Erin	Gionet, Edmond	Higgins, Patricia
Maes, Kevin	Smith, Suzanne	Sykes, George	
	HILL	SBOROUGH	
Balcom, John	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Boehm, Ralph	Byron, Frank	Christensen, Chris
Roberts, Carol	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Estevez, Eric	Forest, Armand	Freitas, Mary	Gargasz, Carolyn
Gonzalez, Carlos	Gorman, Mary	Haefner, Robert	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Jack, Martin	Jeudy, Jean	Rice, Kimberly	Katsiantonis, Thomas
Kurk, Neal	Christiansen, Lars	Ober, Lynne	LeBrun, Donald
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
McClarren, Donald	McNamara, Richard	Murotake, David	O'Neil, William
Brown, Pamela	Long, Patrick	McCarthy, Peggy	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Christie, Rick
Ober, Russell	Rouillard, Claire	Schleien, Eric	Scontsas, Lisa
Shattuck, Gilman Takesian, Charlene	Simmons, Tammy Williams, Kermit	Snow, Kendall Wolf, Terry	Straight, Phillip Woodbury, David
rakesian, Chanene	willding, Kerrill	woll, refly	woodbury, David
		RRIMACK	
French, Barbara	Bartlett, Christy	Bradley, Paula	Rice, Chip
Long, Douglas	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Kotowski, Frank
Luneau, David	MacKay, James	Marple, Richard	Martin, John
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Walsh, Thomas
	ROC	CKINGHAM	

Allen, Mary

Cardon, G. Thomas

Azarian, Gary

Chirichiello, Brian

Christie, Andrew

Barnes, Arthur

Abrami, Patrick

Bush, Carol

810	House Journ	AL MARCH 23, 2016	
DeSimone, Debra	DiFranco, Debbie	Duarte, Joe	Elliott, Robert
Chase, Francis	Rice, Frederick	Ferrante, Beverly	Fesh, Robert
Francese, Paula	Friel, William	Ward, Gerald	Gannon, William
Green, Dennis	Guthrie, Joseph	Hagan, Joseph	Hoelzel, Kathleen
Introne, Robert	Sweeney, Joe	Ward. Joanne	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Griffin, Mary	Major, Norman
Manning, John	McBeath, Rebecca	McKinney, Betsy	O'Connor, John
Gordon, Pamela	Peckham, Michele	Potucek, John	Tilton, Rio
Schroadter, Adam	Sherman, Thomas	Vose, Michael	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	,
	STI	RAFFORD	
Bickford, David	Bixby, Peter	Burton, Wayne	Cheney, Catherine
Gardner, Janice	Ward, Kenneth	Leeman, Don	Mullen, John
Schmidt, Peter	Pitre, Joseph	Rollo, Deanna	Southworth, Thomas
Stevens, Audrey	Treleaven, Susan	riono, Dominia	oodanii in
,	SU	ILLIVAN	
Schmidt, Andrew	Cloutier, John	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Laware, Thomas	Oxenham, Lee	Rollins, Skip
	NA	AYS - 129	
		ELKNAP	
Aldrich, Glen	Spanos, Peter	Sylvia, Michael	Vadney, Herbert
, and	opanos, rotor	Syria, monaci	vadiley, Holbert
	CA	ARROLL	
Avellani, Lino	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Ticehurst, Susan			
	CH	IESHIRE	
Berch, Paul	Johnsen, Gladys	Roberts, Kris	Weber, Lucy
		coos	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
	Gl	RAFTON	
Almy, Susan	Darrow, Stephen	Johnson, Eric	Ford, Susan
Hull, Robert	Massimilla, Linda	Nordgren, Sharon	Townsend, Charles
•	·		,
A 14 14		SBOROUGH	
Ammon, Keith	Griffin, Barbara	Backus, Robert	Bouldin, Amanda
Burt, John	Sullivan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Ferreira, Elizabeth	Gagne, Larry	Goley, Jeffrey
Gould, Linda	Guerette, C. Lee	Hogan, Edith	Hopper, Gary
Belanger, James	Lachance, Joseph	Marston, Dick	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Parison, James	Proulx, Mark	Walsh, Robert	Rosenwald, Cindy
Sanborn, Laurie	Seidel, Carl	Souza, Kathleen	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Vann, Ivy	Zaricki, Nick
	ME	RRIMACK	

Turcotte, Alan Alicea, Caroletta
Carson, Clyde McGuire, Dan
Hoell, J.R. Horn, Werner
Kuch, Bill Seaworth, Brian
Wheeler, Deborah

Alicea, Caroletta Brewster, Michael McGuire, Dan French, Harold Horn, Werner Karrick, David Seaworth, Brian Shurtleff, Stephen

McGuire, Carol Hill, Gregory Kenison, Linda Wallner, Mary Jane

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Berrien, Skip
Cahill, Michael	Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Edgar, Michael
Emerick, J. Tracy	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Matthews, Carolyn	McMahon, Charles
Nigrello, Robert	Osborne, Jason	Packard, Sherman	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Gordon, Richard	Simpson, Alexis	Spillane, James
Sytek, John	True, Chris	Tucker, Pamela	

STRAFFORD

Cilley, Jacalyn	DeLemus, Susan	Graham, Robert
Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Kaczynski, Thomas	Kaen, Naida	Turcotte, Leonard
Spang, Judith	Wall, Janet	Wuelper, Kurt
	Groen, Warren Kaczynski, Thomas	Groen, Warren Hannon, Joseph Kaczynski, Thomas Kaen, Naida

SULLIVAN

Converse, Larry Inwin, Virginia O'Hearne, Andrew Smith, Steven

and the motion was adopted.

The question now being adoption of the motion to limit debate to 15 running minutes on each side, including questions.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 269 NAYS 73

YEAS - 269 BELKNAP

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Fisher, Robert
Flanders, Donald	Gallagher, Brian	Hurt, George	LeBreche, Shari
Russell, David	Spanos, Peter	Fraser, Valerie	Varney, Peter

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	Roberts, Kris	Ley, Douglas	Mann, John
McConnell, James	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne	Sykes, George
Townsend, Charles			

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Byron, Frank Cohen, Alan Danielson, David Estevez, Eric Goley, Jeffrey Haefner, Robert Heath, Mary Rice, Kimberly LeBrun, Donald Manley, Jonathan Murotake, David McCarthy, Peggy Porter, Mariorie Walsh, Robert Scontsas, Lisa Straight, Phillip Wolf, Terry

Balcom, John Biggie, Barbara Christensen, Chris Cornell, Patricia DiSilvestro, Linda Forest, Armand Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Katsiantonis, Thomas Leishman, Peter Marston, Dick O'Neil, William Pellegrino, Anthony Prouix, Mark Rosenwald, Cindy Shattuck, Gilman Takesian, Charlene

Baroody, Benjamin Boehm, Ralph Roberts, Carol Cote, David Donovan, Daniel Freitas, Mary Gorman, Mary Hansen, Peter Jack, Martin Christiansen, Lars O'Brien, Michael McClarren, Donald Brown, Pamela Peterson, Ken Christie, Rick Rouillard, Claire Simmons, Tammy Sullivan, Victoria Zaricki, Nick

Barry, Richard Bouldin, Amanda Coffey, James Sullivan, Daniel Edelblut, Frank Gargasz, Carolyn Guerette, C. Lee Harvey, Suzanne Jeudy, Jean Ober, Lynne Mangipudi, Latha McNamara, Richard Long, Patrick Pierce, David Ober, Russell Schleien, Eric Snow, Kendall Williams, Kermit

MERRIMACK

Turcotte, Alan Rice, Chip Ebel, Karen Karrick, David Luneau, David Moffett, Howard Rogers, Katherine Walsh, Thomas French, Barbara Carson, Clyde Gile, Mary Kenison, Linda MacKay, James Myler, Mel Saunderson, George Waliner, Mary Jane

Woodbury, David

Bartlett, Christy Long, Douglas Henle, Paul Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wheeler, Deborah

Bradley, Paula Doherty, David Hess, David Kuch, Bill Martin, John Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cardon, G. Thomas Devine, James Emerick, J. Tracy Fesh, Robert Gannon, William Heffron, Frank Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Tilton, Rio Vose, Michael Woitkun, Steven

Abrami, Patrick Berrien, Skip Chirichiello, Brian DiFranco, Debbie Chase, Francis Francese, Paula Green, Dennis Hodgdon, Bruce Ward, Joanne Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Sherman, Thomas Webb, James Allen, Mary Bush, Carol Dean-Bailey, Yvonne Duarte, Joe Rice, Frederick Friel, William Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Major, Norman McKinney, Betsy Gordon, Pamela Potucek, John Simpson, Alexis Welch, David Azarian, Gary
Cahill, Michael
DeSimone, Debra
Elliott, Robert
Ferrante, Beverly
Ward, Gerald
Hagan, Joseph
Introne, Robert
Kolodziej, Walter
Manning, John
McMahon, Charles
Packard, Sherman
Gordon, Richard
Sytek, John
Weyler, Kenneth

STRAFFORD

Baber, William Cheney, Catherine Ward, Kenneth Schmidt, Peter Spang, Judith Bickford, David Cilley, Jacalyn Kaen, Naida Pitre, Joseph Stevens, Audrey Bixby, Peter Gardner, Janice Leeman, Don Rollo, Deanna Treleaven, Susan

Burton, Wayne Gray, James Mullen, John Southworth, Thomas Wall, Janet

SULLIVAN

Schmidt, Andrew Cloutier, John Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham, Lee Rollins, Skip Smith, Steven

NAYS - 73 BELKNAP

Aldrich, Glen Howard, Raymond Sylvia, Michael Vadney, Herbert

CARROLL

Avellani, Lino Cordelli, Glenn

CHESHIRE

Johnsen, Gladys

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen Johnson, Eric

HILLSBOROUGH

Ammon, Keith Griffin, Barbara Burt, John Eastman, Eric Edwards, Elizabeth Ferreira, Elizabeth Gould, Linda Gagne, Larry Hopper, Gary Kurk, Neal Hogan, Edith Belanger, James Lachance, Joseph McLean, Mark Moore, Josh Murphy, Keith Notter, Jeanine Ohm. Bill Parison, James Sanborn, Laurie Souza, Kathleen Twombly, Timothy Seidel, Carl Ulery, Jordan Vann, Ivv

MERRIMACK

Alicea, Caroletta Brewster, Michael McGuire, Carol McGuire, Dan Deloge, Helen French, Harold Hill, Gregory Hoell, J.R.

Horn, Werner Seaworth, Brian

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Cali-Pitts, Jacqueline
Cook, Allen
Cushing, Robert
Thomas, Douglas
Edgar, Michael
Harris, Jeffrey
Itse, Daniel
Kappler, Lawrence
Osborne, Jason
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Spillane, James
True, Chris

Tucker, Pamela

STRAFFORD

DeLemus, Susan Graham, Robert Groen, Warren Hannon, Joseph Horrigan, Timothy Jones, Laura Kaczynski, Thomas Turcotte, Leonard

Smith, Marjorie

Wuelper, Kurt

SULLIVAN

Converse, Larry

and the motion was adopted.

The question being adoption of committee amendment (0067h). Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Reps. Groen, Moore, Baldasaro, Cook and Ohm spoke against.

Reps. Simpson, Butler, Zaricki and Fothergill spoke in favor.

Reps. Hoell and Prudhomme-O'Brien spoke against and yielded to questions.

Rep. Schleien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 229 NAYS 99

YEAS - 229

	1	DELKNAP	
Dumais, Russell	Fields, Dennis	Fisher, Robert	LeBreche, Shari
Russell, David	Spanos, Peter	Vadney, Herbert	
		CARROLL	
Butler, Edward Ticehurst, Susan	Chandler, Gene Umberger, Karen	Comeau, Ed	Schmidt, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Roberts, Kris	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John Theberge, Robert	Hatch, William Tholl, John	Moynihan, Wayne	Richardson, Herbert
		GRAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary

Abel, Richard	Almy, Susan	Bennett, Travis	
Darrow, Stephen	Hennessey, Erin	Ford, Susan	
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Gionet, Edmond Nordgren, Sharon

	HILI		
Ammon, Keith	Balcom, John	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Bouldin, Amanda	Byron, Frank	Christensen, Chris
Roberts, Carol	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Edwards, Elizabeth	Estevez, Eric	Freitas, Mary	Gargasz, Carolyn
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Hinch, Richard	Belanger, James	Jack, Martin	Rice, Kimberly
Kurk, Neal	Christiansen, Lars	Ober, Lynne	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McClarren, Donald
Murotake, David	O'Neil, William	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Ober, Russell	Walsh, Robert
Rosenwald, Cindy	Rouillard, Claire	Schleien, Eric	Shattuck, Gilman
Snow, Kendall	Straight, Phillip	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Gile, Mary	Henle, Paul
Hess, David	Karrick, David	Kenison, Linda	Kotowski, Frank
Kuch, Bill	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Walsh, Thomas
Wallner Mary Jane	Wheeler, Deborah		

ROCKINGHAM

	KU	KINGHAWI	
Christie, Andrew	Abrami, Patrick	Abramson, Max	Azarian, Gary
Barnes, Arthur	Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Duarte, Joe	Edgar, Michael
Elliott, Robert	Emerick, J. Tracy	Chase, Francis	Rice, Frederick
Ferrante, Beverly	Francese, Paula	Friel, William	Ward, Gerald
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Sweeney, Joe Major, Norman	Katsakiores, Phyllis Matthews, Carolyn	Lovejoy, Patricia McBeath, Rebecca	Griffin, Mary McMahon, Charles
Nigrello, Robert	O'Connor, John	Osborne, Jason	Gordon, Pamela
Pantelakos, Laura	Peckham, Michele	Potucek, John	Tilton, Rio
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Sytek, John
Vose, Michael	Welch, David	Woitkun, Steven	Cyton, com.
	ST	RAFFORD	
Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	Gardner, Janice	Hannon, Joseph
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Smith, Marjorie
Schmidt, Peter	Rollo, Deanna	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
	S	ULLIVAN	
Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Smith, Steven			
		NAYS - 99	
	B	BELKNAP	
Aldrich, Glen	Tilton, Franklin	Flanders, Donald	Gallagher, Brian
Howard, Raymond Varney, Peter	Hurt, George	Sylvia, Michael	Fraser, Valerie
	C	CARROLL	
Avellani, Lino	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill		·
	C	HESHIRE	
Hunt, John	McConnell, James		
		COOS	
Rappaport, Laurence	Rideout, Leon		
	G	RAFTON	
Bailey, Brad	Brown, Duane	Johnson, Eric	Hull, Robert
Ingbretson, Paul		,	
	нил	SBOROUGH	
Adams, Christopher	Griffin, Barbara	Boehm, Ralph	Burt, John
Coffey, James	Eastman, Eric	Edelblut, Frank	Ferreira, Elizabeth
Gagne, Larry	Gonzalez, Carlos	Gould, Linda	Hogan, Edith
Hopper, Gary	Infantine, William	Jeudy, Jean	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Christie, Rick
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Turamble Timathe	I llone loudon	Cullium Vintoria	•

Sullivan, Victoria

Ulery, Jordan

Scontsas, Lisa Twombly, Timothy

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Marple, Richard	Martin, John	Seaworth, Brian	

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Bush, Carol
Cook, Allen	Thomas, Douglas	Gannon, William	Green, Dennis
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter	McKinney, Betsy
Prudhomme-O'Brien, Katherine	Gordon, Richard	True, Chris	Tucker, Pamela

STRAFFORD

DeLemus, Susan	Graham, Robert	Gray, James	Groen, Warren
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Wuelper, Kurt	

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted and ordered to third reading.

Rep. Eastman voted Nay and intended to vote Yea.

HB 1701-FN, relative to specialty care in drop-in or walk-in clinics. INEXPEDIENT TO LEGISLATE.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies licensure for facilities offering specialty care for drop-in or walk-in patients. This bill presented extensive controversy in the committee debate that it decided the best course of action was to ITL the bill rather than possibly do unexpected harm. Vote 16-1.

MOTION TO LAY ON THE TABLE

Rep. Joe Sweeney moved that **HB 1701-FN**, relative to specialty care in drop-in or walk-in clinics, be laid on the table.

Motion adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Marple moved that the House reconsider it action whereby, on a roll call vote of 180-177, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid.

On a division vote, with 117 members having voted in the affirmative, and 211 in the negative, the motion failed.

REGULAR CALENDAR PART III CONT'D

HB 1126, limiting the authority of delegates to Article V conventions. INEXPEDIENT TO LEGISLATE.

Rep. Russell Ober for Legislative Administration. This bill establishes a procedure for the selection of delegates to an Article V Convention. An Article V Convention is a convention called by the states for the purpose of proposing amendments to the US Constitution. The bill is premature and unnecessary. There would be adequate time, if an Article V Convention were called, for determining the authority of delegates. The language of the bill places restrictions on delegates that may or may not be appropriate at that time. We should not be forcing our representatives into positions which could change if, or when, such a convention is called. Vote 7-1.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **HB 1126**, limiting the authority of delegates to Article V conventions, be laid on the table.

Motion adopted.

REGULAR CALENDAR PART III CONT'D

HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill attempts to provide boilerplate zoning codes that would fit all communities from Vallejo, California, to Hollis, New Hampshire. Although the codes can be modified to fit local needs and desires, they are simply suggestions and communities in New Hampshire are already using them as suggested wording for their zoning regulations. If this bill passed and was adopted into our statutes, it would send a message to communities that this was the preferred method of adopting zoning which would conflict with their local authority. The committee felt there was no need to send suggestive language to communities who are very capable of developing their own language and are able to use the suggested codes without language from the state. Vote 14-0.

MOTION TO LAY ON THE TABLE

Rep. James Belanger moved that **HB 1263**, authorizing municipalities to use form-based codes as an alternative zoning regulation, be laid on the table.

On a division vote, with 306 members having voted in the affirmative, and 17 in the negative, the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HB 1359, relative to the tax credit for service-connected disability. INEXPEDIENT TO LEGISLATE. Rep. James Belanger for Municipal and County Government. The intent of this bill is something most would support as it recognizes the sacrifice our veterans have made for our freedom. But the bill ignores the financial status of veterans who qualify. It allows surviving spouses to be tax exempt if they enter into a civil union with a partner. It does not allow for veterans who are terminally ill from Agent Orange. The committee awaits the arrival of SB 348 on the same subject which addresses concerns over this House bill. Vote 16-0.

MOTION TO LAY ON THE TABLE

Rep. James Belanger moved that **HB 1359**, relative to the tax credit for service-connected disability, be laid on the table.

Motion adopted.

REGULAR CALENDAR PART III CONT'D

HB 1134, relative to open access to broadband infrastructure. **INEXPEDIENT TO LEGISLATE.** Rep. Herbert Vadney for Science, Technology and Energy. This bill posited that towns are blocking passage of high-speed internet cables from passing through their towns and thereby hindering the expansion of broadband internet access to citizens. The promoters of the bill could not cite any actual cases of such hindrance, but were basing the need on what they had heard from other people. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that HB 1134, relative to open access to broadband infrastructure, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 286 members having voted in the affirmative, and 33 in the negative, the motion was adopted.

REGULAR CALENDAR PART III CONT'D

HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. INEXPEDIENT TO LEGISLATE.

Rep. Peggy McCarthy for State-Federal Relations and Veterans Affairs. This resolution recommends a very small investigation limited to one segment of the population. Benzodiazepines are prescribed to more than veterans and any investigation should look at all who have taken the drug plus the variety of other drugs being taken at the same time by this population. Testimony given said this is not a problem in New Hampshire. The Veteran's Association both nationally and in New Hampshire is already taking proactive steps to address the issues of prescription drug use and suicides by veterans. The decision made about drugs should be between a doctor and his or her patient. Vote 13-0.

MOTION TO LAY ON THE TABLE

Rep. Russell Ober moved that HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans, be laid on the table.

Rep. Abramson requested a roll call; not sufficiently seconded.

On a division vote, with 277 members having voted in the affirmative, and 44 in the negative, the motion was adopted.

BILL REMOVED FROM THE CONSENT CALENDAR

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE**.

Rep. Peter Leishman for Finance. This bill proposed to establish a new position of licensed alcohol and drug counselor (LADC) in the Department of Safety (DOS), Bureau of Emergency Medical Services. DOS revised its original request. The bill originally asked for one new staff position but requested funding for five new staff positions. DOS then asked for one consultant in FY 17 whose responsibilities would be to produce a written list of treatment resources for first responders to have. The list has already been developed and published by the Department of Health and Human Services and is available now. DOS will develop a well-thought-out plan for the consultant and submit it as part of the next budget. Consequently, the committee believes it would be more effective to use the state's limited funds for additional drug treatment programs as opposed to establishing these positions and/or hiring this consultant. Vote 26-0.

MOTION TO LAY ON THE TABLE

Rep. Lynne Ober moved that **HB 1699-FN-A-L**, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor, be laid on the table.

On a division vote, with 267 members having voted in the affirmative, and 52 in the negative, the motion was adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 6, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

HR 20, memorializing State Representative Robert Luther of Laconia.

HB 1594-FN, relative to emergency medical services.

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

HB 1404-FN, relative to certain director positions in the insurance department.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

HB 1695-FN, relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies.

HB 1298, relative to damage to private property.

HB 1292, relative to the use of abandoned agricultural property.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers.

HB 1584-FN, relative to the discharge of a person committed for nonpayment of a fine.

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses.

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers.

HB 280-FN, authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

HB 636-FN, relative to forfeiture of property.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor.

HB 1531, permitting the legislature to open the state house on weekends.

HB 1553-FN, transferring the administration of the telecommunications accounting unit.

HB 602-FN, relative to the use of drones.

HB 1681-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.

HB 1231, relative to school district policy regarding objectionable course material.

HB 1300, relative to the content of patriotic exercises in public schools.

HB 1338, relative to student exemption from the statewide assessment.

HB 1637-FN, relative to school attendance in towns with no public schools.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

HB 1497, relative to the limits on disclosure of information used on college entrance exams.

HB 1144-L, relative to notice for sessions of correction of the check list.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 5:10 p.m.

RECESS

(Rep. Chandler in the Chair) ENROLLED BILL AMENDMENT

SB 110-FN, establishing the administrative supervision act. (Amendment printed SJ 3-24-16) Adopted.

RECESS

(Rep. Russell Ober in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 301.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENT

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Amendment printed SJ 3-24-16) Adopted.

SENATE MESSAGES CONCURRENCE

HB 1438-FN-L, relative to the registration of antique trailers.

NONCONCURRENCE

HB 661-FN, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals.

RECESS

(Speaker Jasper in the Chair) RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 308, 324, 326, 336, 337, 341, 342, 345, 347, 348, 362, 374, 376, 379, 381, 387, 391, 394, 401, 402, 404, 415, 416, 417, 421, 423, 430, 431, 432, 439, 452, 456, 466, 475, 481, 482, 488, 491, 492, 494, 495, 496, 503, 506, 509, 510, 515, 519, 521, 527, 532, 533, 535, 539, 540, 541, 544, 546, 547, 552, 553, Senate Concurrent Resolution numbered 3 and 4, and Constitutional Amendment Concurrent Resolution numbered 27 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS, SCRS AND CACR

First, second reading and referral

SB 308, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration)

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. (Education)

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)

SB 337, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary)

SB 341, establishing a committee to study guardianship in New Hampshire. (Judiciary)

SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Ways and Means)

SB 345, relative to the definition of agritourism. (Environment and Agriculture)

SB 347, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government)

SB 348, allowing municipalities to adopt a property tax exemption for certain disabled veterans. (Municipal and County Government)

SB 362, requiring notice to planning boards of placement of signs on scenic byways. (Transportation)

SB 374, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development)

SB 376-FN, relative to wildlife corridors. (Fish and Game and Marine Resources)

SB 379, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety)

SB 381, relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)

SB 387, relative to the disposition of ward accounts. (Judiciary)

SB 391, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety)

SB 394, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)

SB 401-FN, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs) SB 402, relative to procedures related to the disclosure of exculpatory evidence by police officers. (Judiciary)

SB 404, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law)

SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture)

SB 416, relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services)

SB 417, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)

SB 421, relative to liability of governmental units. (Executive Departments and Administration)

SB 423, relating to the right of 17-year olds to register to vote. (Election Law)

SB 430, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs)

SB 431, relative to data submission by insurers. (Commerce and Consumer Affairs)

SB 432, relative to itemized bills for medical services. (Commerce and Consumer Affairs)

SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration)

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law)

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case. (Children and Family Law)

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. (Criminal Justice and Public Safety)

SB 481-FN, relative to a special health care service license and establishing a fund. (Health, Human Services and Elderly Affairs)

SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities. (Municipal and County Government)

SB 488-FN-L, relative to breastfeeding. (Commerce and Consumer Affairs)

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Health, Human Services and Elderly Affairs)

SB 492-FN, relative to expenditures from the energy efficiency fund. (Science, Technology and Energy)

SB 494-FN-A, limiting an exemption from the road toll. (Ways and Means)

SB 495-FN-A, relative to state retiree health plan costs and funding. (Finance)

SB 496-FN, relative to personal care attendant services. (Health, Human Services and Elderly Affairs)

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. (Education)

SB 506, clarifying who may adopt. (Judiciary)

SB 509-FN, relative to voter registration forms and relative to voter identity verification. (Election Law)

SB 510-FN, relative to parking at state park parking meters. (Transportation)

SB 515-FN, relative to child neglect and other changes to the child protection act. (Children and Family Law)

SB 519, relative to highway signs. (Transportation)

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. (Resources, Recreation and Development)

SB 527-FN-A, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. (Finance)

SB 532-FN, relative to prior authorization for substance abuse treatment. (Commerce and Consumer Affairs)

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. (Health, Human Services and Elderly Affairs)

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs)

SB 539, relative to access to records under the child protection act. (Criminal Justice and Public Safety) SB 540-FN, relative to the possession, use, or sale of kratom by any person under 18 years of age. (Criminal Justice and Public Safety)

SB 541, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs) SB 544, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)

SB 546-FN, relative to petitions for verification of checklists. (Election Law)

SB 547, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs)

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)

SB 553, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)

SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)

SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

CACR 27, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. (Finance)

RECESS

(Rep. Bates in the Chair) ENROLLED BILL AMENDMENT

SB 238-FN, relative to the workers' compensation appeals board. (Amendment printed SJ 3-31-16) Adopted.

RECESS

(Rep. Andrew Christie in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 380.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Rosenwald in the Chair) ENROLLED BILL AMENDMENT

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

Amendment (1246-EBA)

Amend RSA 404-G:2, X-c as inserted by section 9 of the bill by replacing line 2 with the following: to RSA 126-A:5, XXV. Adopted.

SENATE MESSAGE CONCURRENCE

HB 242, relative to the statewide improvement and assessment program.

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

HB 1171, relative to appeals heard by the waste management council.

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels.

HB 1315, adding mixed-use development to the definition of business and industrial facility.

HB 1355, relative to poultry producers exempted from meat inspection requirements.

HB 1388-FN, expanding crossbow use into muzzeloader season.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies.

HB 1419, relative to voting records in nonpublic sessions of public bodies.

REFERRED FOR INTERIM STUDY

HB 183, relative to voter registration forms.

NONCONCURRENCE

HB 110, relative to placement of political advertising.

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Edgar assigned to the Committee on Labor, Industrial and Rehabilitative Services.

RECESS

(Rep. Emerson in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1696.

Rep. Hinch, Sen. Soucy for the Committee

SENATE MESSAGE CONCURRENCE

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Edgar is off the Committee on Labor, Industrial and Rehabilitative Services and on the Committee on Fish and Game and Marine Resources.

Rep. Zaricki is off the Committee on Labor, Industrial and Rehabilitative Services.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 11

Wednesday, April 6, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

A Scottish Blessing for Tartan Day

May the blessing of light be on you - light without and light within.

May the blessed sunlight shine on you like a great peat fire,
So that strangers and friends may come and warm themselves at it.

And may light shine out of the two eyes of you,
like a candle set in the window of a house,
bidding the wanderer come in out of the storm.

And may the blessing of the rain be on you,
may it beat upon your spirit and wash it fair and clean,
and leave there a shining pool where the blue of heaven shines,
and sometimes a star.

And may the blessing of the earth be on you, soft under your feet as you pass along the roads, soft under you as you lie out on it, tired at the end of day; and may it rest easy over you when, at last, you lie out under it.

May it rest so lightly over you that your soul may be out from under it quickly; up and off and on its way to God.

and now may the Lord bless you,

Representative Peter Leishman, member from Peterborough, and Representative Dan Eaton, member from Stoddard, led the Pledge of Allegiance.

and bless you kindly. Amen.

The National Anthem was sung by Elizabeth Fortin of Peterborough.

LEAVES OF ABSENCE

Reps. Barry, Ronald Belanger, Bridge, Chris Brown, Chirichiello, Comtois, Cote, DiFranco, Gargasz, Gonzalez, Gladys Johnsen, Kellogg, LeBreche, Massimilla, Carol McGuire, Milz, Moody, Phillips, Priestley, Chip Rice, Sanders, Shaw, Joe Sweeney and Verschueren, the day, illness.

Reps. Ammon, Duane Brown, Dumais, Friel, Heath, Jones, Douglas Long, Lundgren, O'Hearne, O'Neil, Oligny, Parison, Seaworth, Marjorie Smith, Suzanne Smith, Soucy, Spillane, Sprague, Tamburello, Gerald Ward and Webb, the day, important business.

Reps. James Belanger, Rebecca Brown and Harvey, the day, illness in the family.

Rep. O'Connor, the day, death in the family.

INTRODUCTION OF GUESTS

Eric Scheuch and Charlotte Perkins, students at Kearsarge Regional High School, Pages for the day.

John Fortin, husband of the singer, guest of Rep. Leishman. Jim and Mary Wojdylak, Seamus and Buddy Sullivan, parents and sons of Rep. Victoria Sullivan. Lynda Hunt, Katelyn and Ella Churchhill, Gloria Sweeney, Terri Wiltse, Lois Meredith, Ellen Avery, Sue Butman, and David Bruce; wife, step-daughter, granddaughter, mother-in-law and guests of Rep. Hunt. Ken Dassau, guest of Rep. Gallagher. Chris Roundy, guest of Rep. Southworth. Melissa Cunliff, guest of Rep. Stevens. John Lunn, guest of Rep. Irwin. Scott Webster, and Sherry Thompson, guests of Rep. Joanne Ward. Marcus Hermansen, guest of Rep. Rosenwald. Bethany Leak, and Matt Dustin, guests of Rep. Ratzki. Allyson Zacker, guest of Rep. Mangipudi. Charlene Lovett, Middleton Goodwin, and Susan Johnson, guests of the Claremont Delegation. Students from Bud Carlson Academy, guests of the Rochester Delegation. Students from Saint Mary Academy, guests of the Dover Delegation.

The Clerk read the following:

A PROCLAMATION NEW HAMPSHIRE TARTAN DAY APRIL 6, 2016

WHEREAS, the Declaration of Arbroath, pronouncing Scottish independence, was signed at Arbroath Abbey on April 6, 1320, by Bernard de Linton, Chancellor of Scotland; and

WHEREAS, helping to expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

WHEREAS, the United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

WHEREAS, nearly half the signers of the Declaration of Independence and nine of the country's original governors, including New Hampshire's governor, were of Scottish descent; and

WHEREAS, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine, education, politics, business, and the arts; and

WHEREAS, the United States Senate has passed a resolution designating April 6th of each year as National Tartan Day; and

WHEREAS, the Saint Andrew's Society of New Hampshire, along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts, and thousands of citizens who claim Scottish heritage in the state support Scottish Heritage Day;

NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR of the State of New Hampshire, do hereby proclaim APRIL 6, 2016, as NEW HAMPSHIRE TARTAN DAY and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given this 5th day of April, in the year of Our Lord two thousand and sixteen, and the independence of the United States of America, two hundred and forty.

Margaret Wood Hassan, Governor

TARTAN DAY PROGRAM

Rep. Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Marielle Webster, Sveta Gerace, Anna Gordon, Hazel Dellario, Laura and Sebastian Benedetto and Campbell Webster. Pipers from the NH Pipe & Drums played the lament in memory of Representatives Robbie Parsons and Robert Luther.

Rep. Joanne Ward offered a Scottish blessing.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and,

May God fill your heat with gladness to cheer you.

MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred SB 324 to the Committee on Resources, Recreation and Development.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of SB 506, clarifying who may adopt, to the Committee on Judiciary.

Motion adopted.

The Speaker referred SB 506 to the Committee on Children and Family Law.

MOTION TO VACATE

Rep. Tholl moved that the House vacate the reference of **SB 539**, relative to access to records under the child protection act, to the Committee on Criminal Justice and Public Safety. Motion adopted.

The Speaker referred SB 539 to the Committee on Children and Family Law.

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 499, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Amendment printed SJ 3-17-16)

Rep. Haefner moved that the House concur and spoke in favor.

Motion adopted.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board. (Amendment printed SJ 1-14-16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

HB 377, establishing a state geographic information system committee. (Amendment printed SJ 3-24-16)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Amendment printed SJ 3-31-16)

Rep. Chandler moved that the House concur and spoke in favor.

Motion adopted.

HB 351, exempting historically significant vehicles from emission control requirements. (Amendment printed SJ 3-24-16)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

HB 353, relative to the governance of condominium unit owners' associations. (Amendment printed SJ 1-14-16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Harold French, Biggie and Williams.

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA1. (Amendment printed SJ 2-4-16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Gagnon.

HB 285, relative to discussion with legal counsel under the right-to-know law. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 606-FN-L, relative to costs for public records filed electronically. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Amendment printed SJ 1-21-16)

Rep. Hinch moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hinch, Packard, Russell Ober and Weber.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 498-FN, relative to penalties for possession of certain controlled drugs, removed by Rep. Sylvia. SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships, removed by Rep. Ladd.

SB 441-FN, relative to discounts and admission without charge at state parks, removed by Rep. Horrigan. Consent Calendar adopted.

SB 25-FN, relative to the administration of epinephrine. OUGHT TO PASS.

Rep. Victoria Sullivan for Education. This bill establishes procedure for the administration of epinephrine, which is a life-saving medication that is administered at the onset of anaphylaxis, by certain authorized entities. This bill also provides immunity to school personnel who administer the epinephrine. Vote 17-0.

SB 312, relative to epinephrine administration in independent schools. OUGHT TO PASS. Rep. John Balcom for Education. This bill extends the placement of auto-injectable epinephrine to independent and postsecondary educational institutions. Vote 17-0.

SB 314, relative to the membership of the higher education commission. OUGHT TO PASS. Rep. Robert Elliott for Education. This bill simply changes the name already in law as the NH Council for Professional Education to the American Council for Professional Education and Training. Vote 16-0.

SB 316, relative to placement decisions by a child's individualized education program team. OUGHT TO PASS.

Rep. James Grenier for Education. This bill addresses potential concerns arising from the passage of HB 610 (Chapter 125, Laws of 2015, relative to a school board vote on the reassignment of a pupil) passed last year. That bill amended RSA 193:3, III to require school boards of both receiving and sending school districts to approve placement for a change of school assignment. Placement of a child with a disability is the responsibility of the IEP team and not the sending school board. This bill clarifies this difference. Vote 17-0.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. OUGHT TO PASS.

Rep. Ralph Boehm for Education. This bill allows school districts, at their discretion, to have bronchodilators, spacers or nebulizers on hand in the schools. These will most likely be provided by the drug companies, as are EPI-Pens. Students currently have the ability to carry their own and/or leave them in the nurse's office. This bill protects students with asthma who forget their inhaler, or fail to provide one to the school nurse for protection in an emergency situation. Vote 17-0.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. OUGHT TO PASS.

Rep. Barbara Shaw for Education. This bill allows for the possibility of cost saving efforts through a shared business administrator among school districts in transportation, maintenance, purchasing and many other areas. Efficiency and best use of taxpayers money is always a plus. Passing this legislation will give municipalities and schools options which will allow savings in financial administration of the towns funds. Vote 19-0.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. OUGHT TO PASS.

Rep. John Balcom for Education. This timely bill establishes a committee to address problems and potential solutions with current threat notification systems linking schools under threat to law enforcement using dependable communications. The committee unanimously supported the bill. Vote 19-0.

SB 371, relative to school lunch meal payment policies. OUGHT TO PASS.

Rep. Mary Gile for Education. This bill proposes standards that hold parents responsible for payment of their child's school lunch, not children. Some schools have introduced practices that force students whose parents are delinquent to go to the principal's office, or stand in a different line for a lunch of lesser appeal and quality, or limit the participation in school activities e.g. field trips, etc. Such practices can demean, embarrass and humiliate students and should not be allowed. Although this bill is not a mandate; it does however, set forth criteria for districts to follow in the implementation of school lunch payment policies. Vote 19-0.

SB 373, relative to the information technology infrastructure in public schools. INEXPEDIENT TO LEGISLATE.

Rep. Christopher Adams for Education. This bill establishes a committee to study the feasibility of using school building aid funds to upgrade the information technology infrastructure in the public schools for the purpose of enabling the establishment of virtual classrooms. Current funding for school building aid is frozen in the current budgeting cycle and if funding begins in future budgeting cycles there are numerous districts with multiple school buildings greatly in need of support to address safety and physical plant issues. While the committee fully recognizes the importance of having adequate broadband access for educational purposes, this bill is not the vehicle needed to satisfy this issue. Vote 19-0.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. OUGHT TO PASS. Rep. Barbara Shaw for Education. This bill requires background checks to conform with federal law as required by CCDBG Act (Child Care and Development Block Grant). This new process is more comprehensive and provides additional safety measures for children within these institutions. A government card will be issued as verification of background check completion. In order to receive the CCDBG funds, states must comply by September 30, 2017. Vote 19-0. Referred to the Committee on Criminal Justice and Public Safety.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. OUGHT TO PASS WITH AMENDMENT.

Rep. Steven Beaudoin for Executive Departments and Administration. This bill allows any retired member of the NH Retirement System (NHRS) to terminate the election of a single non-spouse beneficiary past the current 120-day statutory limit. If this option is exercised, the retiree's pension benefit would change to the amount that would have been paid if no beneficiary had been selected. The amendment allows a retiree to terminate the election of a former spouse as a beneficiary based on the terms of a final divorce decree in which the former spouse renounces any claim to the benefit. Vote 17-1.

Amendment (1109h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

- 2 Retirement System; Optional Allowances; Divorce. Amend RSA 100-A:13, II(a)(1) to read as follows:
- (1) Terminate such elected option upon the issuance of a divorce decree and subsequent remarriage of the former spouse, or in accordance with the terms of the final divorce decree or final settlement agreement which provides that the former spouse shall renounce any claim to a retirement allowance under RSA 100-A. Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Notice of such termination shall be given by the retiree on a form designated by the board. Payment of the converted allowance shall commence on the first day of the month following receipt of termination by the board. For any retiree whose divorce and the subsequent remarriage of the former spouse occurred on or before July 1, 1990, the notice shall be given to the board on or before October 1, 1990. Said termination action shall become effective on the first day of the month following receipt of such notice by the board. If the retiree dies after giving valid notice of such termination but before the effective date, the option shall terminate as of the date of the retiree's death.

AMENDED ANALYSIS

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance. The bill also allows for the termination of an optional allowance in accordance with a final divorce decree or final settlement agreement.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions. OUGHT TO PASS.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the governorelect to appoint an inaugural treasurer and report expenditures and contributions related to the inauguration. As the prime sponsor of this bill explained, the core purpose of this legislation is to ensure transparency and permit public access to information about these contributions. Vote 13-0.

SB 313, relative to requirements for licensed estheticians. OUGHT TO PASS WITH AMENDMENT. Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended, will allow required training credit hours accumulated in order to be licensed as a massage therapist to count toward training credit hours required for an esthetician's license. Coursework may only be applied to the requirements for an esthetician's license as long as the content of the courses has been determined to be equivalent by the Board of Barbering, Cosmetology, and Esthetics. Vote 13-0.

Amendment (1096h)

Amend RSA 313-A:13 as inserted by section 1 of the bill by replacing it with the following:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. An apprenticeship approved by the board may substitute for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. *Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board.* Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

AMENDED ANALYSIS

This bill allows a licensed massage therapist to satisfy training requirements for licensure as an esthetician with training deemed equivalent by the board of barbering, cosmetology, and esthetics.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. OUGHT TO PASS WITH AMENDMENT.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill adds the definitions of "adult child," "dependent child," and "stepchild" for the purposes of determining survivor benefits for families of police officers and firefighters killed in the line of duty. The committee heard testimony of a recent situation involving two daughters of a police officer who died in the line of duty. One daughter was under the age of 18 and the other was over the age of 18. Both, however, were still dependent upon their father's financial assistance. Because the law relative to survivor benefits referenced only dependent children under the age of 18, only one of his children was eligible to receive these benefits. The committee felt that this was clearly not the intent of the law. Vote 17-1.

Amendment (1210h)

Amend the bill by replacing section 1 with the following:

- 1 Survivor Benefits. Amend RSA 21-I:29-a, I to read as follows:
 - I. In this section:
- (a) "Adult child" means a child, whether by blood or adoption, of the police officer or firefighter, age 18 or older at the time of death of such police officer or firefighter and who does not meet the definition of a dependent child.

- (b) "Dependent child" means a child, whether by blood or adoption, or stepchild of the police officer or firefighter who:
- (1) Is under the age of 25 and was dependent on the earnings of the police officer or firefighter at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or

(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer or firefighter at the time of death.

- (c) "Family" means the surviving spouse of the police officer or firefighter who was wholly or partially dependent, in fact, upon the earnings of the police officer or firefighter; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer or firefighter. [A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.]
- [(b)] (d) "Firefighter" means any firefighter, including auxiliary, intermittent, special, parttime, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.
- [(c)] (e) "Killed in the line of duty" means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.
- [(d)] (f) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.
- (g) "Stepchild" means an individual who is the legally adoptive or biological first generation offspring of the police officer's or firefighter's current, deceased, or former spouse conceived before the marriage of the police officer or firefighter and the spouse.

 Referred to the Committee on Finance.

SB 332, relative to state procurement of goods and services. OUGHT TO PASS.

Rep. J.R. Hoell for Executive Departments and Administration. The bill does four separate things: first, the bill increases the spending that can be done via a debit card or field purchase order from \$500 to \$1,000. This is in keeping with the costs for a project where a debit card or field purchase order would be used. The administrative costs for some of these low dollar purchase orders add up quickly. Secondly, the bill establishes an Advisory Committee on State Purchases. This is an ongoing committee looking for ways to improve the efficiency of government. The committee is required to issue a report yearly with their findings. Thirdly, the bill updates the ethics section on bidding and disqualifies someone who violates the statutes from bidding on future proposals. Lastly, the bill keeps bid packages confidential until the bid is awarded either via the Governor and Council or the agency/department. This way, competitors cannot obtain a copy of their competitor's proposal and seek to undercut them on the bid without doing the work of creating a bid package. Vote 13-0.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. OUGHT TO PASS.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Trustees of the retirement system to designate a presiding officer in an appeal of an initial determination relative to a member's qualification for ordinary or accidental disability benefits. The presiding

officer may not be the same person who made the initial determination. Currently, if a member is deemed not eligible for disability benefits, the hearing officer who makes that determination is the same individual who hears an appeal, if one is made. While there was no evidence presented that this process was materially unfavorable to applicants of disability benefits, the committee agreed with the sponsors that on its face the process had the potential to be unfair to the applicant. Vote 17-0.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This is a pure housekeeping bill brought to add two members to the Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury. It also updates the name of one of the organizations represented on the commission from the NH Deployment Cycle Support Program to the Care Coordination Program of NH. Vote 13-0.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the fiscal year of the Board of Embalmers and Funeral Directors from a calendar year basis to align it with the NH state government fiscal year that ends in June. It also converts the licenses issued by the board from one year to two years. There is no increase in the cost to licensees on an annualized basis. Thus, this is essentially a housekeeping bill. Vote 13-0.

SB 400, relative to executive branch ethics. OUGHT TO PASS WITH AMENDMENT.

Rep. Andrew Christie for Executive Departments and Administration. This bill makes several modifications to the Executive Branch Code of Ethics. It clarifies the definition of executive branch official, modifies the restrictions on appointees to the Executive Branch Ethics Committee by permitting them to hold non-partisan elected office, and adds a provision permitting any person to request an interpretive ruling on the applicability of laws under the jurisdiction of the committee. Vote 16-0.

Amendment (1193h)

Amend the bill by replacing section 8 with the following:

- 8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:
- I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials [who are not classified employees].
- II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials [who are not classified employees], provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

Amend the bill by replacing section 10 with the following:

- 10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:
 - I. The committee shall be authorized to:
- (a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.
- (b) Issue interpretative rulings explaining and clarifying any law, guideline, or rule[, or regulation] within the jurisdiction of the committee.
- (c) Render [an] advisory [opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the

person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public] opinions in accordance with RSA 21-G:31-a.

- (d) Receive sworn complaints, investigate allegations of violations of this subdivision [or guidelines adopted thereunder] by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.
- (e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated. Amend the bill by replacing section 12 with the following:
- 12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:
 - 21-G:31-a Advisory Opinions; Procedure.
- I. Any executive branch official may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.
- II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.
- 21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.
- SB 406-FN, relative to classification of certain state employee positions. OUGHT TO PASS. Rep. Peter Schmidt for Executive Departments and Administration. This bill is housekeeping legislation to implement and codify certain previous decisions of the Joint Committee on Employee Classification (JCEC), as required by statute and requested by the JCEC. This is the final step in the process for designating or reassigning salary grade levels for unclassified positions. Vote 17-0. Referred to the Committee on Finance.
- SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. OUGHT TO PASS WITH AMENDMENT. Rep. Mark Proulx for Executive Departments and Administration. This bill makes housekeeping changes to laws governing private investigators, security guards and bail recovery agents. In order to simplify the regulatory structure, it puts the regulation of bail recovery agents solely under the jurisdiction of the Department of Safety. It adds a new member to the advisory board to make it more balanced and representative of the regulated professions. The bill also streamlines and updates continuing education and firearm qualification requirements. The amendment extends the term of the license for bail recovery agents from one year to two years. Vote 15-1.

Amendment (1152h)

Amend RSA 597:7-b, II as inserted by section 12 of the bill by replacing it with the following:

II. Any person who operates as a bail recovery agent in this state, excluding licensed private detectives, shall be trained and certified through a program approved by the Professional Bail Agents of the United States or other training program approved by the commissioner of safety and shall [register annually] be licensed with the [secretary of state] department of safety under RSA 106-F. Licensees shall also meet proficiency requirements under RSA 106-F:8-a. The [secretary of state] department of safety shall issue to each [registered] licensed bail recovery agent proof of such [registration] licensure. [Effective July 1, 2000,] Each bail [agency] recovery agent operating in this state shall [annually] provide to the [secretary of state] department of safety proof of liability

insurance coverage in the amount of \$300,000 for bail recovery activities [of the agency's bail agents and bail recovery agents]. This proof of insurance coverage shall be provided before the [agency's] bail [agents are] recovery agent is licensed or relicensed[, and before the agency's bail recovery agents are registered or reregistered] by the department of safety. [Bail recovery agents acting as independent contractors shall provide proof of liability insurance coverage in the amount of \$300,000 to the secretary of state before registration or reregistration.] Licenses shall be valid for 2 years after the date of issuance and shall be renewed every 2 years thereafter, upon application and payment of the fee and submission of continuing proof of the required liability insurance coverage. The application for renewal shall be submitted at least 15 days before the expiration of the previously granted license. Any person who operates as a bail recovery agent in this state without meeting [such certification, insurance, and registration] the licensure and relicensure requirements shall be guilty of a class [A] B misdemeanor for the first offense and a class A misdemeanor for a second offense within a 7-year period.

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. OUGHT TO PASS.

Rep. Kurt Wuelper for Judiciary. This bill allows judges who could never become eligible for retirement to opt out of the judicial retirement system. The committee thought it good to offer them this option. Vote 16-0.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. OUGHT TO PASS.

Rep. Judith Spang for Resources, Recreation and Development. This lot line adjustment was examined and brought to us by the Department of Resources and Economic Development. The Bradford Pines area was established as a state Natural Area which means it is to be retained by the state for future generations. However, an abutter discovered that a previous owner had intruded upon the Natural Area with a corner of a building, driveway and utilities. The landowner has agreed to swap the encroaching land for an equal amount of more valuable land along the Warner River, through a process set forth in RSA 4:40. Vote 15-0.

SB 378, relative to the availability of net metering tariffs. OUGHT TO PASS WITH AMENDMENT. Rep. Douglas Thomas for Science, Technology and Energy. This bill will prevent an entity from reserving an undue portion of the new net metering capacity created by HB 1116, as already passed by the House, prior to the Public Utilities Commission (PUC) making a decision on a new net metering tariff and possible cap. It amends RSA 362-A:9 to limit the amount of reserved net metering interconnections that a single entity can hold to 20 percent of the total net metering utility-specific allocation. It requires the PUC to review group net metering agreements, requires each electric utility to make certain information on net metering allocation and capacity available on its website, and requires all persons involved in a net metering interconnection queue application for a project greater than 100 kilowatts to sign a certificate of compliance relative to the 20 percent limit. It contains a non-specific sunset provision that goes into effect upon a final decision by the PUC that sets a tariff and eliminates any cap on net metering. Vote 19-0.

Amendment (1199h)

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph I the

following new paragraph:

I-a. No person, owner, developer, installer of an eligible customer-generator facility, business organization, or any subsidiary thereof, shall reserve capacity space in the net metering interconnection queue more than 20 percent of the total net metering utility-specific allocation pursuant to this section, and the creation of multiple business organizations, including a person, as defined in RSA 366:1, I, by the same shall not defeat this requirement. On a weekly basis each utility shall make public on its website its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. For project applications of greater than 100 kilowatts, each utility net metering interconnection queue application shall include a certification of compliance with the 20 percent requirement, all persons involved in such an application shall sign the certification of compliance, and no application shall be processed where one or more persons involved in the application did not sign the certification of compliance.

- 3 Repeal. RSA 362-A:9, I-a, relative to net energy metering, is repealed.
- 4 Applicability. Section 3 of this act shall take effect upon a final decision of the commission which is not subject to appeal that sets a tariff and eliminates any cap on net metering as certified to the director of legislative services and the secretary of state.
 - 5 Effective Date.
 - I. Section 3 of this act shall take effect as provided in section 4 of this act.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Requires the public utilities commission to review net metering agreements between group hosts and group members.
- II. Requires an electric utility to make certain information on net metering allocation and capacity available on its website on a bi-weekly basis.
- III. Requires all persons involved in a net metering interconnection queue application to sign a certificate of compliance.

MOTION TO SPECIAL ORDER

Rep. Cloutier moved that SB 152, relative to criminal history records checks for school employees and designated school volunteers, be made a Special Order as the first order of business on the Regular Calendar.

Rep. Cloutier spoke in favor.

Motion adopted.

SPECIAL ORDER

SB 152, relative to criminal history records checks for school employees and designated school volunteers. MAJORITY: OUGHT TO PASS, MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. John Balcom for the Majority of Education. This bill provides that information relating to any crime committed by a school employee or a designated school volunteer may be used in making a hiring decision. The majority of the committee believed that this legislation is similar to a bill passed by the House in the 2015 session; and for the safety of our students, we need to pass this senate bill. The bill's intent is to prevent known predators or criminals from accessing our schools by allowing the release of information regarding convictions of applicants for any felonies and misdemeanors. Vote 17-2. Rep. Christopher Adams for the Minority of Education. This bill addresses a critical issue in the hiring of school district staff and ensuring these individuals are properly vetted and have no criminal history that may indicate a danger to students and staff that they will come into contact with on a daily basis. Last year, the House passed a similar bill that would have enacted these protections by widening the scope of reported incidents from felony convictions to both felony and misdemeanor convictions being reported. Unfortunately, this bill narrows the dispersion of the information reported and the scope of decision making process to only the superintendent in a district thus causing potential overwork and an avenue for personal bias in the decision making process. The bill also muddies the water in the application of this law to non-public schools that may not have a superintendent or chief executive officer as defined in the legislation even though they may wish to perform these criminal history checks. If they choose to perform these checks they must comply with the legislation despite not having the prescribed official. They may have a qualified staff professional or agency that is bonded and insured to perform such evaluations do this work for them. This legislation would prohibit that. Last, the legislation broadens discretionary application of this law beyond being convicted of a felony or misdemeanor to any crimes that may potentially have been of a civil or commercial nature, such as being convicted of breach of peace for protesting at a political event or in opposition to building a pipeline through your property.

The question being adoption of the majority committee report of Ought to Pass. Rep. Adams offered minority committee amendment (1105h).

Minority Amendment (1105h)

Amend RSA 189:13-a, I-V as inserted by section 1 of the bill by replacing it with the following:

I.(a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of

employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section. [A school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section. With respect to a nonpublic school, as used in this section, "superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee" means the person or persons designated by the nonpublic school to fulfill the duties set forth in this section.

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies or misdemeanors, or of charges pending disposition for or convictions of the applicant of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee. [Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy. The school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall destroy the information received immediately following [its] review of the information. If the criminal history records information indicates that the applicant has been convicted of [a felony] any crime or has been charged pending disposition for or convicted of a crime listed in paragraph V, the [school administrative unit, school district, chartered public school, or public academy | superintendent of the school administrative unit, or the chief executive officer of the chartered public school or

public academy, or designee, shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The [school administrative unit, school district, chartered public school, or public academy] superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. [By decision of the appropriate governing body, a school administrative unit, school district, chartered public school, or public academy] The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee, may deny a selected applicant a final offer of employment if such person has been convicted of any [felony] crime in addition to those listed above. The governing body of a school district, chartered public school, or public academy may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired. Rep. Adams spoke in favor.

Rep. Ladd spoke against.

Minority committee amendment failed.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

REGULAR CALENDAR CONT'D

SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. This bill establishes the statewide drug offender grant program. At the hearing it was determined that the bill title referenced revenue issues. Upon thorough review of the bill the committee concluded that there were no references to taxes or fees required to accomplish the goals of the program. The bill requires expenditure approval in order to implement the drug offender grant program. The vote of the committee is a procedural vote only. The vote of the committee should not be construed as a policy decision because the policy addressed by the bill is not within the jurisdiction of the House Ways and Means Committee. Vote 17-0.

Committee report adopted and referred to the Committee on Finance.

SB 339-FN, relative to required DNA analysis for certain offenses. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, or any offense against a child, or any other felony offense prohibited by NH laws, or ". . .another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill adds the language ". . . or any person declared not guilty by reason of insanity or civilly committed to the department of corrections." This addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is

a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, this bill would serve both as a deterrent and a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 10-3.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority recognizes that this bill would impact some people who have never engaged in, committed, or been charged with a crime, but who have severe mental illnesses that resulted in them being involuntarily committed to state institutions. Under RSA 135-C, people with mental illnesses are involuntarily committed to the state hospital, and under RSA 622:45 some of those acute patients, those whose illness pose a threat to themselves or others, are transferred to and civilly committed to the Department of Corrections Secure Psychiatric Unit. Mental illness is a medical condition, not a crime. The minority believes that, notwithstanding the current practice of the state comingling people civilly committed with those who have been convicted of crimes in the Secure Psychiatric Unit, the legislature should not require those who have never been accused of or committed a crime to submit to have a DNA sample be taken for DNA analysis to determine identification characteristics specific to that person. We should treat all patients the same when it comes to DNA testing for identification characteristics, and singling out those with mental illness for testing violates the concept of health care parity and equal treatment under the law.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Cushing spoke against.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 389-FN, relative to the penalty for possession of multiple firearms. INEXPEDIENT TO LEGISLATE.

Rep. Dick Marston for Criminal Justice and Public Safety. This bill is a very narrow piece of legislation to amend the armed career criminals statute (RSA 159:3-a). If this change was to be enacted, it would negatively affect the prosecutor's discretion in prosecuting armed career criminals. There was no testimony other than a co-sponsor. The NH Supreme Court has recently upheld the constitutionality of this statute. The majority of the committee, after much deliberation, came to the conclusion that the prosecutor is the best person to decide how to proceed in the prosecution of individual cases of armed career criminals. This bill is looking to solve a problem which does not exist in current law. Vote 8-3.

Committee report adopted.

SB 320, relative to non-academic surveys administered by a public school to its students. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ralph Boehm for the Majority of Education. This bill changes current law to require parents, or guardians to give permission (opt-in) on all non-academic surveys or questionnaires except for the Centers of Disease Control and Protection (CDC) risk survey which requires an opt-out by parents or guardians. The amendment fixes language and makes it clear that only the CDC survey is opt-out. The bill also makes it clear that students under 18 cannot give permission for taking the survey. Vote 11-9.

Rep. June Frazer for the Minority of Education. The minority on this bill feel strongly that this matter is an issue of local control and a policy would more appropriately be left to local school districts. The bill also creates confusion in making one exception to the rule opt-in and another opt-out. Finally, it is feared that such a law might interfere with important research.

Majority Amendment (1143h)

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. [The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.] In this paragraph, "nonacademic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (1240h).

Floor Amendment (1240h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Amend the bill by replacing all after the enacting clause with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b, IX-c, and IX-d to read as follows: IX-b. Health and Sex Education. Require school districts and chartered public schools to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require school districts and chartered public schools to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee, or designated chartered public school official in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district or the chartered public school and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require school districts and chartered public schools to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts and chartered public schools to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district or chartered public school shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire' means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill adds references to include chartered public schools in the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Ladd spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 52 NAYS 274

YEAS - 52 CARROLL

Butler, Edward

CHESHIRE

Abbott, Michael Bordenet, John Robertson, Timothy Ames, Richard Eaton, Daniel Shepardson, Marjorie

Tilton, Benjamin Lev. Douglas

Berch, Paul Pearson, William

COOS

Froburg, Alethea

GRAFTON

Abel, Richard White, Andrew Cooney, Mary

Maes, Kevin

Townsend, Charles

HILLSBOROUGH

Roberts, Carol Leishman, Peter Brown, Pamela

Edwards, Elizabeth O'Brien, Michael Shattuck, Gilman

Freitas, Mary Mangipudi, Latha Vann, Ivy

Herbert, Christopher McNamara, Richard Williams, Kermit

MERRIMACK

Alicea, Caroletta Hirsch, Geoffrey Rogers, Katherine Bartlett, Christy Frazer, June

Bradley, Paula Karrick, David

Deloge, Helen Luneau, David

ROCKINGHAM

Cali-Pitts, Jacqueline Gordon, Pamela

Cushing, Robert Prudhomme-O'Brien, Katherine Sherman, Thomas

Edgar, Michael

Lovejoy, Patricia

STRAFFORD

Cilley, Jacalyn Stevens, Audrey DiSesa, Len

Horrigan, Timothy

Spang, Judith

SULLIVAN

Converse, Larry

Oxenham, Lee

NAYS - 274

BELKNAP

Aldrich, Glen Fisher, Robert Hurt, George Vadney, Herbert Dumais, Russell Flanders, Donald Spanos, Peter Varney, Peter

Tilton, Franklin Gallagher, Brian Sylvia, Michael

Fields, Dennis Howard, Raymond Fraser, Valerie

CARROLL

Avellani, Lino Cordelli, Glenn Nelson, Bill Umberger, Karen

Buco. Thomas Crawford, Karel Parker, Harold Wright, Ted

Chandler, Gene McCarthy, Frank Schmidt, Stephen

Comeau, Ed McConkey, Mark Ticehurst, Susan

CHESHIRE

Chase, Cynthia Mann, John Sterling, Franklin Emerson, Susan McConnell, James Tatro, Bruce Hunt, John Parkhurst, Henry Weber, Lucy Roberts, Kris Sad, Tara

COOS

Fothergill, John Tholl, John

Moynihan, Wayne Thomas, Yvonne Rideout, Leon

Theberge, Robert

GRAFTON

Almy, Susan Hennessey, Erin Higgins, Patricia Hennessey, Martha Bailey, Brad Johnson, Eric Hull, Robert Nordgren, Sharon Bennett, Travis Ford, Susan Ingbretson, Paul Piper, Wendy

Darrow, Stephen Gionet, Edmond Ladd, Rick Sykes, George

HILLSBOROUGH

Adams, Christopher Beaulieu, Jane Bouldin, Amanda Coffey, James Danielson, David Estevez, Eric Smith, Gregory Goley, Jeffrey Haefner, Robert Hogan, Edith Rice, Kimberly Lachance, Joseph Martel, Andre Murotake, David Long, Patrick Peterson, Ken Christie, Rick Rouillard, Claire Scontsas, Lisa Souza, Kathleen Twombly, Timothy

Griffin, Barbara Biggie, Barbara Burt, John Cohen, Alan DiSilvestro, Linda Ferreira, Elizabeth Gagne, Larry Gorman, Mary Hansberry, Daniel Infantine, William Kurk, Neal LeBrun, Donald McClarren, Donald Murphy, Keith McCarthy, Peggy Pierce, David Ober, Russell Rowe, Robert Seidel, Carl Straight, Phillip Ulery, Jordan Woodbury, David

Backus, Robert Boehm, Ralph Byron, Frank Cornell, Patricia Eastman, Eric Flanagan, Jack Gargasz, Carolyn Gould, Linda Hansen, Peter Jack, Martin Christiansen, Lars Manley, Jonathan McLean, Mark Notter, Jeanine Palmer, Barry Porter, Mariorie Walsh, Robert Sanborn, Laurie Simmons, Tammy Takesian, Charlene Sullivan, Victoria Zaricki, Nick

Balcom, John Booras, Efstathia Christensen, Chris Sullivan, Daniel Edelblut, Frank Fromuth, Bart Gidge, Kenneth Goulette, William Hinch, Richard Jeudy, Jean Ober, Lynne Marston, Dick Moore, Josh Ohm, Bill Pellegrino, Anthony Prouix, Mark Rosenwald, Cindy Schleien, Eric Snow, Kendall Smith, Timothy O'Brien, William

MERRIMACK

Turcotte, Alan McGuire, Dan French, Harold Hoell, J.R. Kotowski, Frank Martin, John Patten, Dick Shurtleff, Stephen

Wolf, Terry

French, Barbara Doherty, David Henle, Paul Horn, Werner Kuch, Bill Moffett, Howard Ratzki, Mario Walsh, Thomas

Ebel, Karen Hess, David Kenison, Linda MacKay, James Myler, Mel Saunderson, George Wheeler, Deborah

Brewster, Michael

Carson, Clyde Gile, Mary Hill, Gregory Kidder, David Marple, Richard Parent, Jason Schuett, Dianne

ROCKINGHAM

Christie, Andrew Azarian, Gary Berrien, Skip Cardon, G. Thomas DeSimone, Debra Elliott, Robert Fesh. Robert Abrami, Patrick Baldasaro, Alfred Borden, David Cook, Allen Devine, James Emerick, J. Tracy Francese, Paula Abramson, Max Barnes, Arthur Bush, Carol Thomas, Douglas Doucette, Fred Rice, Frederick Gannon, William Allen, Mary Bates, David Cahill, Michael Dean-Bailey, Yvonne Duarte, Joe Ferrante, Beverly Green, Dennis

Guthrie, Joseph Hodgdon, Bruce Kappler, Lawrence Major, Norman McKinney, Betsy Packard, Sherman Gordon, Richard True, Chris Weyler, Kenneth	Hagan, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Manning, John McMahon, Charles Pantelakos, Laura Tilton, Rio Tucker, Pamela Woitkun, Steven	Harris, Jeffrey Introne, Robert Kolodziej, Walter Matthews, Carolyn Nigrello, Robert Peckham, Michele Simpson, Alexis Vose, Michael	Heffron, Frank Ward, Joanne Griffin, Mary McBeath, Rebecca Osborne, Jason Potucek, John Sytek, John Welch, David
	ST	RAFFORD	
Baber, William Burton, Wayne Graham, Robert Kaczynski, Thomas Mullen, John Southworth, Thomas	Berube, Roger Cheney, Catherine Gray, James Kaen, Naida Schmidt, Peter Treleaven, Susan	Bickford, David DeLemus, Susan Groen, Warren Turcotte, Leonard Pitre, Joseph Wall, Janet	Bixby, Peter Gardner, Janice Hannon, Joseph Leeman, Don Rollo, Deanna Wuelper, Kurt
	St	ULLIVAN	
Schmidt, Andrew Grenier, James Smith, Steven	Cloutier, John Irwin, Virginia	Gagnon, Raymond Laware, Thomas	Gottling, Suzanne Rollins, Skip

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Victoria Sullivan spoke in favor and yielded to questions. Majority committee report adopted and ordered to third reading.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes the Board of Medical Imaging and Radiation Therapy for the licensure and regulation of magnetic resonance technologists, nuclear medicine technologists, radiation therapists, radiographers, radiologist assistants, and sonographers. The committee heard testimony about the potential dangers and risks to patient health that could result from the practice of inadequately trained operators. This, coupled with a likely increase in the number of independent radiology clinics, led members to support this bill in order to ensure that appropriate training and continuing education are completed and that disciplinary action can be taken for unprofessional or unethical conduct. Vote 16-2.

Rep. Hannon spoke against.

Shepardson, Marjorie

and floor amendment (1240h) failed.

Rep. Sherman spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

Sterling, Franklin

YEAS 213 NAYS 113

YEAS - 213 BELKNAP

Tatro, Bruce

Weber, Lucy

Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
		CARROLL	
Buco, Thomas McConkey, Mark Ticehurst, Susan	Butler, Edward Nelson, Bill Umberger, Karen	Chandler, Gene Parker, Harold	Crawford, Karel Schmidt, Stephen
	(CHESHIRE	
Abbott, Michael Eaton, Daniel Parkhurst, Henry	Ames, Richard Emerson, Susan Pearson, William	Berch, Paul Ley, Douglas Robertson, Timothy	Bordenet, John Mann, John Sad. Tara

COOS

Fothergill, John Theberge, Robert Froburg, Alethea Tholl, John

Moynihan, Wayne Thomas, Yvonne Richardson, Herbert

GRAFTON

Abel, Richard Ford, Susan Maes, Kevin Townsend, Charles Almy, Susan Higgins, Patricia Nordgren, Sharon White, Andrew Bennett, Travis Ladd, Rick Piper, Wendy Cooney, Mary Hennessey, Martha Sykes, George

HILLSBOROUGH

Griffin, Barbara
Booras, Efstathia
Cohen, Alan
Flanagan, Jack
Gargasz, Carolyn
Guerette, C. Lee
Hinch, Richard
Christiansen, Lars
Mangipudi, Latha
Long, Patrick
Pierce, David
Rosenwald, Cindy
Snow, Kendall
Vann, Ivy

Backus, Robert Byron, Frank Cornell, Patricia Freitas, Mary Gidge, Kenneth Haefner, Robert Infantine, William LeBrun, Donald Manley, Jonathan McCarthy, Peggy Porter, Marjorie Rouillard, Claire Straight, Phillip Williams, Kermit Balcom, John Christensen, Chris Sullivan, Daniel Smith, Gregory Goley, Jeffrey Hansberry, Daniel Jack, Martin Leishman, Peter McNamara, Richard Pellegrino, Anthony Proulx, Mark Rowe, Robert Takesian, Charlene Wolf, Terry

Beaulieu, Jane Roberts, Carol DiSilvestro, Linda Gagne, Larry Gorman, Mary Herbert, Christopher Jeudy, Jean O'Brien, Michael Brown, Pamela Peterson, Ken Walsh, Robert Shattuck, Gilman Smith, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Martin, John Ratzki, Mario Shurtleff, Stephen Alicea, Caroletta Carson, Clyde Gile, Mary Frazer, June Kotowski, Frank Moffett, Howard Rogers, Katherine Walsh, Thomas French, Barbara
Deloge, Helen
Henle, Paul
Karrick, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Berrien, Skip Cardon, G. Thomas Doucette, Fred Fesh, Robert Harris, Jeffrey Ward, Joanne Manning, John McMahon, Charles Pantelakos, Laura Sherman, Thomas

Abrami, Patrick Borden, David Cushing, Robert Edgar, Michael Francese, Paula Heffron, Frank Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Peckham, Michele Simpson, Alexis Azarian, Gary
Cahill, Michael
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Griffin, Mary
McBeath, Rebecca
Gordon, Pamela
Prudhomme-O'Brien, Katherine
Sytek, John

Barnes, Arthur
Cali-Pitts, Jacqueline
Devine, James
Ferrante, Beverly
Hagan, Joseph
Introne, Robert
Major, Norman
McKinney, Betsy
Packard, Sherman
Tilton, Rio
Woitkun, Steven

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Kaen, Naida Spang, Judith Berube, Roger Cheney, Catherine Gray, James Schmidt, Peter Stevens, Audrey Bickford, David Cilley, Jacalyn Horrigan, Timothy Rollo, Deanna Treleaven, Susan Bixby, Peter DiSesa, Len Ward, Kenneth Southworth, Thomas Wall, Janet

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	L.	OLLIVAN	
Schmidt, Andrew Gottling, Suzanne Rollins, Skip	Cloutier, John Grenier, James Smith, Steven	Converse, Larry Irwin, Virginia	Gagnon, Raymond Oxenham, Lee
	ľ	NAYS - 113	
		BELKNAP	
Aldrich, Glen Hurt, George	Fisher, Robert Spanos, Peter	Gallagher, Brian Sylvia, Michael	Howard, Raymond Fraser, Valerie
Vadney, Herbert	Varney, Peter	Sylvia, Micriaei	riasei, vaierie
		CARROLL	
Avellani, Lino Wright, Ted	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
	C	CHESHIRE	
Tilton, Benjamin	Hunt, John	Roberts, Kris	McConnell, James
		COOS	
Rideout, Leon			
	(GRAFTON	
Bailey, Brad Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ingbretson, Paul	Johnson, Eric
	HIL	LSBOROUGH	
Adams, Christopher	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Hansen, Peter
Hogan, Edith	Rice, Kimberly	Lachance, Joseph	Marston, Dick
Martel, Andre	McClarren, Donald	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Palmer, Barry
Christie, Rick	Ober, Russell	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Twombly, Timothy Zaricki, Nick	Ulery, Jordan	Sullivan, Victoria	O'Brien, William
	ME	ERRIMACK	
Brewster, Michael	McGuire, Dan	French, Harold	Hill, Gregory

Brewster, Michael	McGuire, Dan	French, Harold	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	Marple, Richard
Parent, Jason			marping ritorial a

ROCKINGHAM

Abramson, Max Bush, Carol	Allen, Mary Cook, Allen	Baldasaro, Alfred Dean-Bailey, Yvonne	Bates, David
Duarte, Joe Green, Dennis Kolodziej, Walter True, Chris	Emerick, J. Tracy Hodgdon, Bruce Osborne, Jason Tucker, Pamela	Rice, Frederick Kappler, Lawrence Potucek, John Welch, David	DeSimone, Debra Gannon, William Katsakiores, Phyllis Gordon, Richard Weyler, Kenneth

STRAFFORD

DeLemus, Susan	Graham, Robert	Groen, Warren	Hannon, Joseph
Kaczynski, Thomas	Turcotte, Leonard	Leeman, Don	Mullen, John
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Laware, Thomas and the committee report was adopted and ordered to third reading. Reps. McLean and Vose declared conflicts of interest and did not participate.

SB 392, relative to the special training licenses issued by the board of podiatry. OUGHT TO PASS. Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Podiatry to issue special training licenses to persons enrolled in an accredited residency program in NH. The committee heard testimony that this bill is needed to address the growing shortage of podiatrists in NH. Our neighboring states currently offer residency for a podiatrist in training, giving them an edge in the recruitment of these medical professionals and greater certainty of these individuals remaining in state to practice following their residency. The license established by this bill provides NH with the same advantage. Vote 11-2. Committee report adopted and ordered to third reading.

SB 446, relative to requirements of the state building code. OUGHT TO PASS.

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds a small provision to the statutes so that when the Building Code Review Board adopts new rules about the permit application process, the new rules are "reasonable." The committee heard testimony that some building inspectors have asked for extensive information during the application process and this slows down and or delays the issuance of permits. The only process in place to appeal is through the local zoning board and this could take a month or more creating real issues for getting a project started before a deadline. For example, if a permit is issued late enough in the fall to delay construction, it may not be possible to construct a foundation before the frost sets in. The balance of the process remains the same and the renovation or construction still needs to meet all necessary codes and still goes through the same inspection process, this bill just affects the ability to get the permit issued in a timely manner so construction can begin. Vote 9-6. Committee report adopted and ordered to third reading.

SB 545, proclaiming August as Cure all Cancer month. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Raymond Gagnon for the Majority of Executive Departments and Administration. The goal of this bill is to reinforce that an ounce of prevention is worth a pound of cure. The legislation serves as a tool in raising the public's attention in combating cancer. Testimony in support of this bill stressed how increasing the public's knowledge and awareness about cancer can have an effective impact and that statistics indicate enhanced education and awareness could reduce cancer by 50%. Proclaiming February as Cancer Prevention Month and February 4 as Cancer Prevention Day will complement federal cancer prevention efforts thus providing coordinated national, state and local efforts. Cancer prevention/education events provide added opportunities for anti-cancer groups to reach out to the general public. Lastly, this bill also recognizes August as Cure all Cancer Month in honor of the many people who have lost their lives to cancer or who are battling this dreaded disease. The rising incidence of cancer needs to be met with increased efforts both to implement prevention practices now and to find a cure as soon as possible. New Hampshire has demonstrated that it can be a leader in promoting cancer prevention and should do so with the passage of this legislation. Vote 9-8.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill as amended sets aside two different months and one particular day for cancer awareness. The minority applauds the purpose behind the bill and has no concerns regarding the desire to encourage people to live happier and healthier lives. The minority also has no concerns about promoting cancer awareness. However, we felt that this bill will not yield the intended results. The ED&A Committee sees a plethora of requests for special days and events and we felt that designating two months for this purpose would water down the message and in the end hurt the cause more than help it. The result of all of these requests is that every day will be a "special" day for some cause and then none of those days will be considered special as every day or month will be devoted to some cause and the importance of the individual issues will be lost in the noise.

Majority Amendment (1107h)

Amend the title of the bill by replacing it with the following:

AN ACT proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent. The general court recognizes that October is Breast Cancer awareness month which is laudable. The general court further recognizes that there should be a focus on cancer prevention and finding a cure for all cancers and that having only one month for a specific

cancer may detract from many other deadly cancers. Therefore, the general court hereby proclaims February as cancer prevention month, February 4th as cancer prevention day, and August as Cure all Cancer month in honor of the many people who have lost their lives to cancer or who are battling cancer. The general court specifically dedicates this act to Tierra Brewster VanCise who lost her battle with lung cancer in October of 2010.

2 New Section; Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. Amend RSA 4 by inserting after section 13-u the following new section:

4:13-v Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. The governor shall annually proclaim February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month and shall urge cities and towns throughout the state to observe these dates in an appropriate manner in recognition of the thousands of citizens of this state affected by all types of cancer and the need for public awareness, research, and support for victims and their families.

AMENDED ANALYSIS

This bill proclaims February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 174 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 498-FN, relative to penalties for possession of certain controlled drugs. OUGHT TO PASS. Rep. David Welch for Criminal Justice and Public Safety. This bill is a result of a study of stakeholders such as law enforcement, public defenders, the courts and substance abuse organizations. They determined that reducing the penalty for possession of small amounts of marijuana and hashish to an unclassified misdemeanor with a minimum fine of \$500 would enable the court to treat first time offenders as a violation, enable substance abuse counseling or establish a criminal record based on the individual's conduct or record. Vote 13-0.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. OUGHT TO PASS WITH AMENDMENT.

Rep. Ralph Boehm for Education. This bill authorizes the state board of education to adopt rules relating to preventing child sexual abuse and promoting healthy relationships. The amendment removes the terms child sexual abuse and healthy relationships and replaces it with the reference to existing law, RSA 169-C, which covers and defines sexual, psychological and physical child abuse. Vote 20-0.

Amendment (1196h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing the state board of education to adopt rules relative to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse under RSA 169-C, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

AMENDED ANALYSIS

This bill authorizes the state board of education to adopt rules relative to child abuse pursuant to the child protection act.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Ladd offered floor amendment (1241h).

Floor Amendment (1241h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse as established in the definition of "abused child" under RSA 169-C:3, II, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

AMENDED ANALYSIS

This bill requires a school board to ensure that health and physical education as it relates to abused children is taught in schools.

Rep. Ladd spoke in favor.

Floor amendment (1241h) adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1270h).

Floor Amendment (1270h)

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, [especially] including physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse under RSA 169-C, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

Rep. Hoell withdrew floor amendment (1270h).

Majority committee report adopted and ordered to third reading.

SB 441-FN, relative to discounts and admission without charge at state parks. OUGHT TO PASS. Rep. John Mullen for Resources, Recreation and Development. The bill was brought forth to modify the Division of Parks and Recreation's ability to offer admission without charge to persons 65 years of age and older to state parks and other areas, and repeals a requirement for the division to issue discount coupon books for state parks in the summer months. The premise behind this bill is to resolve a conflict between two statutes. RSA 218:5-c describes who and what park activities shall provide those 65 years and older free admission to state parks, historical sites, beaches and state operated ski areas. RSA 216-A:3-g instructs the division to charge fees that are comparable with fees for use of similar privately owned ski and campground facilities and should be according to market conditions. In addition, the fees are to be used to offset expenses to maintain these state facilities and be able to adjust to market conditions. This bill gives the division the ability to set limited fees for those over 65 subject to approval of the Fiscal Committee. These fees would allow the division to ensure the continued operation and improvement of state parks, historical sites, beach and ski areas while not violating the intent of current legislation to not unfairly compete with private facilities. Vote 17-0.

Rep. Bailey spoke against.

Rep. Mullen spoke in favor and yielded to questions.

Rep. Horrigan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 171 NAYS 158

YEAS - 171 BELKNAP

Dumais, Russell Hurt, George Tilton, Franklin Sylvia, Michael Fields, Dennis Vadney, Herbert Flanders, Donald

CARROLL

Chandler, Gene Comeau, Ed Crawford, Karel McConkey, Mark Schmidt, Stephen Umberger, Karen

CHESHIRE

Bordenet, John Emerson, Susan Hunt, John Lev. Douglas Mann, John McConnell, James Pearson, William Shepardson, Marjorie Sterling, Franklin Tatro, Bruce

COOS

Fothergill, John Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Darrow, Stephen Johnson, Eric Higgins, Patricia Hull, Robert Ladd, Rick Hennessey, Martha Maes, Kevin Piper, Wendy White, Andrew

HILLSBOROUGH

Adams, Christopher Griffin, Barbara Biggie, Barbara Boehm, Ralph Coffey, James Danielson, David Ferreira, Elizabeth Flanagan, Jack Gagne, Larry Gargasz, Carolyn Haefner, Robert Hansen, Peter Rice, Kimberly Kurk, Neal LeBrun, Donald Marston, Dick Murotake, David Murphy, Keith Brown, Pamela McCarthy, Peggy Pierce, David Ober, Russell Rowe, Robert Scontsas, Lisa Straight, Phillip

Takesian, Charlene

Balcom, John Beaulieu, Jane Byron, Frank Christensen, Chris DiSilvestro, Linda Edwards, Elizabeth Freitas, Mary Smith, Gregory Gidge, Kenneth Gould, Linda Herbert, Christopher Hinch, Richard Christiansen, Lars Ober, Lynne McLean, Mark McNamara, Richard Notter, Jeanine Ohm. Bill Palmer, Barry Pellegrino, Anthony Rosenwald, Cindy Rouillard, Claire Seidel, Carl Simmons, Tammy

MERRIMACK

Ulery, Jordan

Bradley, Paula Brewster, Michael McGuire, Dan Deloge, Helen Ebel, Karen Gile, Mary French, Harold Henle, Paul Hess. David Hill, Gregory Hoell, J.R. Horn, Werner Kenison, Linda Kidder, David Kotowski, Frank Luneau, David MacKay, James Marple, Richard Martin, John Moffett, Howard Shurtleff, Stephen Walsh, Thomas

ROCKINGHAM

Christie, Andrew Abrami, Patrick Barnes, Arthur Bates, David Thomas, Douglas DeSimone, Debra Rice. Frederick Ferrante, Beverly Gannon, William Green, Dennis Hoelzel, Kathleen Ward, Joanne Manning, John Matthews, Carolyn Packard, Sherman Peckham, Michele Schroadter, Adam Sherman, Thomas Woitkun, Steven

Wolf, Terry

Wuelper, Kurt

Allen, Mary Berrien, Skip Devine, James Fesh, Robert Hagan, Joseph Katsakiores, Phyllis McKinney, Betsy Potucek, John Svtek, John

Azarian, Gary Cook, Allen Elliott, Robert Francese, Paula Heffron, Frank Major, Norman Osborne, Jason Prudhomme-O'Brien, Katherine

Williams, Kermit

Vose, Michael

STRAFFORD

Baber, William Bickford, David Graham, Robert Gray, James Kaen, Naida Turcotte, Leonard Schmidt, Peter Southworth, Thomas Bixby, Peter Groen, Warren Leeman, Don Spang, Judith

Cheney, Catherine Kaczynski, Thomas Mullen, John Whitehouse, Joshua

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Grenier, James Irwin, Virginia Smith, Steven Rollins, Skip NAYS - 158 **BELKNAP** Howard, Raymond Aldrich, Glen Fisher, Robert Gallagher, Brian Fraser, Valerie Varney, Peter Spanos, Peter CARROLL Butler, Edward Cordelli, Glenn Buco, Thomas Avellani, Lino Ticehurst, Susan McCarthy, Frank Nelson, Bill Parker, Harold Wright, Ted CHESHIRE Berch, Paul Tilton, Benjamin Abbott, Michael Ames, Richard Eaton, Daniel Roberts, Kris Parkhurst, Henry Chase, Cynthia Sad. Tara Weber, Lucy Robertson, Timothy COOS Moynihan, Wayne Richardson, Herbert Hatch, William Froburg, Alethea Rideout, Leon Theberge, Robert GRAFTON Bennett, Travis Cooney, Mary Bailey, Brad Abel. Richard Nordgren, Sharon Gionet, Edmond Ford, Susan Hennessey, Erin Townsend, Charles Sykes, George HILLSBOROUGH Booras, Efstathia Bouldin, Amanda Burt, John Backus, Robert Cornell, Patricia Sullivan, Daniel Cohen, Alan Roberts, Carol Estevez, Eric Fromuth, Bart Eastman, Eric Edelblut, Frank Goulette, William Guerette, C. Lee Gorman, Mary Goley, Jeffrey Jack, Martin Hogan, Edith Hopper, Gary Hansberry, Daniel O'Brien, Michael Leishman, Peter Lachance, Joseph Jeudy, Jean Martel, Andre McClarren, Donald Mangipudi, Latha Manley, Jonathan Porter, Marjorie Long, Patrick Peterson, Ken Moore, Josh Sanborn, Laurie Walsh, Robert Christie, Rick Proulx, Mark Souza, Kathleen Snow, Kendall Shattuck, Gilman Schleien, Eric Twombly, Timothy Sullivan, Victoria Vann, Ivv Smith, Timothy Zaricki, Nick O'Brien, William Woodbury, David **MERRIMACK** Bartlett, Christy French, Barbara Alicea, Caroletta Turcotte, Alan Frazer, June Doherty, David Hirsch, Geoffrey Carson, Clyde Parent, Jason Kuch, Bill Myler, Mel Karrick, David Saunderson, George Rogers, Katherine Ratzki, Mario Patten, Dick Wheeler, Deborah Wallner, Mary Jane Schuett, Dianne ROCKINGHAM Borden, David Bush, Carol Baldasaro, Alfred Abramson, Max Cardon, G. Thomas Cushing, Robert Cali-Pitts, Jacqueline Cahill, Michael Edgar, Michael Duarte, Joe Doucette, Fred Dean-Bailey, Yvonne Hodgdon, Bruce Harris, Jeffrey Emerick, J. Tracy Guthrie, Joseph Lovejov, Patricia Kappler, Lawrence Kolodziej, Walter Introne, Robert

Nigrello, Robert

Tilton, Rio

McMahon, Charles

Gordon, Richard

Tucker, Pamela

McBeath, Rebecca

Pantelakos, Laura

True, Chris

Griffin, Mary

Gordon, Pamela

Simpson, Alexis

STRAFFORD

Berube, Roger Burton, Wayne Cilley, Jacalyn DeLemus, Susan DiSesa, Len Gardner, Janice Hannon, Joseph Horrigan, Timothy Ward, Kenneth Pitre, Joseph Rollo, Deanna Treleaven, Susan

Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Laware, Thomas

Oxenham, Lee

and the committee report was adopted and referred to the Committee on Ways and Means.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 20, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

SB 25-FN, relative to the administration of epinephrine.

SB 312, relative to epinephrine administration in independent schools.

SB 314, relative to the membership of the higher education commission.

SB 316, relative to placement decisions by a child's individualized education program team.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

SB 371, relative to school lunch meal payment policies.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions.

SB 313, relative to requirements for licensed estheticians.

SB 332, relative to state procurement of goods and services.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers.

SB 400, relative to executive branch ethics.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.

SB 378, relative to the availability of net metering tariffs.

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists.

SB 392, relative to the special training licenses issued by the board of podiatry.

SB 446, relative to requirements of the state building code.

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding memorial remarks for the former member from Amherst, the Honorable Carol Holden.

Rep. Notter addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Amherst, the Honorable Carol Holden.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Motion adopted unanimously.

REMARKS

Rep. Notter: Thank you, Mr. Speaker. I would like to invite the Representatives who were involved with the Vesta Roy Series, or the Federation of Republican Women, to stand with me at the podium to remember and honor our friend, Commissioner Carol Holden. Mr. Speaker, when I first got involved with New Hampshire politics I felt a bit "star struck," I guess is the term, when I met elected officials. I was nervous the first time I met with Commissioner Holden. A television show called, "The Commish," came to mind while I was having coffee at a Dunkin Donuts, in Merrimack, with an actual commissioner. Somehow our conversation led to a discussion of passing the time while waiting in line at the grocery store. When Commissioner Holden told me that she also enjoys reading the tabloid headlines, I felt more at ease and began to realize that perhaps, just maybe, elected officials are also just regular people. This past Friday, April 1, 2016, Commissioner Carol Holden died peacefully at her home after a brief illness. The news left many of us shocked and saddened, especially for her husband, Don. I just saw Carol, what seems like, days ago. She was wearing one of her signature hats and looked just fine. Yesterday, at the viewing, I saw the hat before I noticed her family in the receiving line. I'm happy to report that Carol Holden went to her eternal rest sporting a pink straw hat with a good Republican elephant pin at the top. She looked like she was sleeping. Several of us knew Carol through Vesta Roy. Vesta Roy was the NH State Senate President when Governor Hugh Gallen died in office in 1982. Vesta succeeded him, making her the first female governor of NH. Her portrait is at the base of the stairs that leads to the Senate Gallery. The first female Speaker of the NH House of Representatives was Donna Sytek. Speaker Sytek was one of the founders of a political educational program called, "Vesta Roy Excellence in Public Service." Carol Holden was on the Vesta Roy Board of Directors and a mentor to several of us serving in the House today. We call ourselves, "Vesties." Sometimes we wear a specific gold star to identify ourselves. It was Carol who taught me to how to politic a room. She taught me the proper wording when asking for an endorsement. She stressed what is essential when running for office. And when things were not to her liking, she let me know. In addition to the Vesta Roy Series, Carol had a long history with the Federation of Republican Women. The National Federation is based in Washington, D.C. Each state has its own chapter. Carol is a past President. We have five federated groups in our state. I think she supported them all. When I was a club president, Carol was my parliamentarian. It was her job to make sure that I ran the meetings the way that Donna Sytek taught me to in Vesta Roy. Carol gave me booklet of notes on Robert's Rules for Parliamentary Procedure, to refer to as needed. Honestly though, if Carol was at one of our meetings, it was a lot easier to just look her way for a nod of approval than it was to look at my notes. A few weeks ago I was informed that as the current state president of the NH Federation of Republican Women, I had to fill the positions required by Nationals. Wasn't it just days ago that I received an email from Carol accepting the position of, you guessed it, Parliamentarian? Carol's obituary had a long list of Republican boards and activities that she ran or served. She was one of three commissioners for Hillsborough County. Merrimack was one of the towns in her district. She always marched in our 4th of July parade. She worked the Republican booth at county fairs and was always seen at various Republican events, the like the Federation's annual Lilac Luncheon. Did you know that she was related to President George

Bush? Yeah, both of them, #41 and #43. Carol is from the Walker branch of the family. We had coffee with Doro Bush this past December. For those who don't know, Jeb is not George W's only sibling. There is also Neil, Marvin, and Doro. When I introduced Carol to Doro, Doro called her "Cousin" for the rest of the visit. Carol held many offices. She was a NH State Rep from 1984-1997. She chaired and co-chaired committees and served as Assistant Majority Leader in her last two years. Female legislators are automatically members of the Order of the Women Legislators. I believe you know them by the term, "The OWLS." Sometime last fall I was browsing in the Capitol Visitor's Center. Debbie Rivers pointed to a stack of books on the floor, in the corner, that were being given away. She handed me one. I took it home and added it to a stack of books sitting on the floor, in the corner, of my room. It was a book about the OWLS. I didn't know what to do with it. At Christmas time, the Merrimack Town Republican committee had a fundraiser. Carol was there, because Carol went to most Republican meetings. When she saw the book on the table with giveaways and political literature, she asked me about it. When I told her that she could have it, I saw her face light up like I've never seen before. The book covered the years that she served in this House, and her name was in it. I will always remember how happy and pleased she looked that evening. I can't believe she is gone. Her friend, local photographer Glynis Citarelli, posted the following on Facebook: "Madam Commissioner, you truly wore many hats. A tireless public servant. Godspeed my dear friend." To that I'd like to add, "May her memory be eternal." Thank you, Mr. Speaker.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 12:20 p.m.

RECESS

(Rep. Barbara French in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 527, 1145, 1438 and Senate Bills numbered 110 and 238.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGES CONCURRENCE

HB 1116, relative to net metering.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

HB 1197, relative to conservation number plate funds.

HB 1208-FN, relative to administration of the tobacco tax.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1283, relative to school notification of a change in placement.

HB 1285, relative to the donation of food that has passed its expiration date.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

HB 1665-FN, adopting the interstate medical licensure compact.

REFERRED FOR INTERIM STUDY

HB 1689, relative to operator requirements under the meals and rooms tax.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 295, 536, 1171, 1199, 1315, 1355 and 1418.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 242, relative to the statewide improvement and assessment program.

Amendment (1291-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to Motion adopted.

HB 1388-FN, expanding crossbow use into muzzeloader season.

Amendment (1316-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT expanding crossbow use into muzzleloader season.

Motion adopted.

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **SB 453-FN**, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies

RECESS

(Rep. Ladd in the Chair) ENROLLED BILL AMENDMENTS

SB 25-FN, relative to the administration of epinephrine. (Amendment printed SJ 4/21/16) Motion adopted.

SB 312, relative to epinephrine administration in independent schools. (Amendment printed SJ 4/21/16)

Motion adopted.

SB 332, relative to state procurement of goods and services. (Amendment printed SJ 4/14/16) Motion adopted.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Amendment printed SJ 4/21/16) Motion adopted.

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

The President appointed Sens. Carson, Reagan and Soucy.

HB 628-FN, relative to indemnification of health care provider facilities under certain circumstances. The President appointed Sens. Sanborn, Carson and Kelly.

CONCURRENCE

HB 535-FN, relative to signs advising motorists approaching highway emergencies.

HB 1181, relative to designating an alternate cemetery trustee.

HB 1220, relative to disqualification of election officers.

HB 1239, relative to certain terminology in the education statutes.

- HB 1244-L, relative to municipal cemeteries.
- HB 1289, making technical corrections to certain tax laws.
- HB 1290, relative to filing dates for business taxes.
- HB 1300, relative to the content of patriotic exercises in public schools.
- HB 1497, relative to the limits on disclosure of information used on college entrance exams.
- HB 1553-FN, transferring the administration of the telecommunications accounting unit.

NONCONCURRENCE

- HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.
- HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.

LAID ON THE TABLE

- HB 1156, relative to interference with traffic devices.
- HB 1247, relative to poker in private residences.

CONCURRENCE WITH AMENDMENTS

- SB 313, relative to requirements for licensed estheticians.
- SB 400, relative to executive branch ethics.
- SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

RECESS

(Rep. Mangipudi in the Chair) ENROLLED BILL AMENDMENTS

HB 1116-FN, relative to net metering.

Amendment (1443-EBA)

Amend section 2 of the bill by replacing line 1 with the following: 2 Public Utility. Amend RSA 362:2, II to read as Motion adopted.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

Amendment (1441-EBA)

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III. Motion adopted.

HB 1197, relative to conservation number plate funds.

Amendment (1408-EBA)

Amend section 4 of the bill by replacing line 2 with the following: 261:97-b Conservation Number Plate [Trust] Fund. Motion adopted.

HB 1208-FN, relative to administration of the tobacco tax.

Amendment (1440-EBA)

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following: evidence tax paid under this chapter in this state to licensed wholesalers.

Motion adopted.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

Amendment (1433-EBA)

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following: the state highway aid program, adopted under rulemaking authority of the commissioner of the Motion adopted.

HB 1283, relative to school notification of a change in placement.

Amendment (1389-EBA)

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following: II. The department and school district shall develop a transition plan for the child. The Motion adopted.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

Amendment (1427-EBA)

Amend section 1 of the bill by replacing line 2 with the following: A:32, II(e) to read as follows: Motion adopted.

HB 1665-FN, adopting the interstate medical licensure compact.

Amendment (1407-EBA)

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following: XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as Motion adopted.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. (Amendment printed SJ 4/14/16)
Motion adopted.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 12

Wednesday, April 20, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Thom Duston, Pastor of St. Theresa's Parish in Henniker and Wing Chaplain of Pease Air National Guard Base.

Would you pray with me? Good and gracious God, You are the source of all life, and of our natural rights. Our ancestors recognized this in our state's constitution. They also acknowledged that when we come together in society, we must be willing to surrender up our rights to it for the protection of others. Lord God help us. Help us to appreciate the lives You have given us. Help us to acknowledge our natural rights and protect them for all. Help us to willingly sacrifice of ourselves for the good of others and of all. Lord bless each of us with the wisdom and courage we need to sacrifice for and serve well all citizens of our beloved state. Amen

Representative Sad, member from Walpole and Representative Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by the member from Manchester, Representative Larry Gagne.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Pamela Brown, Bush, Comtois, Kellogg, Moody, Pantelakos, Parison, Phillips, Priestley, Rappaport, Ratzki, Russell, Sanders, Stevens, Tatro, Verschueren and Wright, the day, illness.

Reps. Andrew Christie, Cook, Deloge, DiSesa, Edwards, Fisher, Pamela Gordon, Ingbretson, Introne, Ley, McNamara, O'Neil, Oligny, Carol Roberts, Schleien, Timothy Smith, Tamburello, Varney and Thomas Walsh, the day, important business.

Rep. DeSimone, the day, illness in the family.

INTRODUCTION OF GUESTS

Brendan Sica, student at Bishop Brady High School, Page for the day.

Allison O'Neil and students, guests of Representative Cordelli. The Honorable Sylvia Gale, former member from Nashua, and Catherine Sofikitis, guests of Representative Rosenwald. George and Phyllis Weimann, Uncle and Aunt of Representative Ticehurst. David Woolpert, guest of Representatives Hirsch and Barbara French. Roger Dontonville, guest of Representative Piper. Susan McKevitt, guest of Representative Irwin. Chris Heath, Master of the state Grange, and members of the state Grange; Bob and Jane Trombi, Josie Best, Esther Herrick and Andrew Savage, guests of Representative Haefner. The Honorable Carolyn Brown, former member from Conway, Jim Umberger, husband of Representative Karen Umberger, and John Edgerton, guests of the Mount Washington Valley Representatives.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 231, relative to the criteria for evaluating school building aid applications. (Amendment printed SJ 3/31/16)

Reps. Ladd and Kurk moved that the House concur and spoke in favor.

Rep. Ladd spoke in favor.

Motion adopted.

HB 1121, relative to the academic areas that comprise the statewide assessment. (Amendment printed SJ 4/7/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 1164, relative to contributions by a city or town to the county or state. (Amendment printed SJ 4/14/16) Rep. James Belanger moved that the House concur and spoke in favor. Motion adopted.

HB 560-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. (Amendment printed SJ 1/14/16)

Rep. Tholl moved that the House nonconcur and spoke in favor. Motion adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 242, 1388, 1397 and 1419 and Senate Bill numbered 318.

Rep. Hinch, Sen. Prescott for the Committee

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case, removed by Rep. Lynne Ober.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images, removed by Rep. Lynne Ober.

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws, removed by Rep. Hoelzel.

SB 481-FN, relative to a special health care service license and establishing a fund, removed by Rep. Dan McGuire.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants, removed by Rep. Hinch.

SB 496-FN, relative to personal care attendant services, removed by Rep. Hinch.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education, removed by Rep. Duane Brown.

Consent Calendar adopted.

SB 543-FN, relative to private transferring of adopted children. OUGHT TO PASS.

Rep. Carolyn Gargasz for Children and Family Law. This bill prohibits unauthorized advertising for adoption purposes. This especially is of concern for ads through the Internet. It also prohibits transfer of a child through a power of attorney document without going through the state adoption process. Vote 13-0. Referred to the Committee on Judiciary.

SB 450, relative to investments by insurance companies. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill replaces some of the existing life insurance and property and casualty insurance investment statutes with the latest National Association of Insurance Commissioners' (NAIC) model language. It applies general principles and sets specific investment standards appropriate to those insurers. Investments made by insurers are critical to their solvency and are highly regulated. The New Hampshire Insurance Department is required to "require a diversified investment portfolio for all domestic insurers both as to type and issues and include a requirement for liquidity" as part of the NAIC's accreditation process. Vote 18-2.

SB 488-FN-L, relative to breastfeeding. OUGHT TO PASS WITH AMENDMENT.

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, this bill required employers to provide reasonable accommodations to women who are breastfeeding and included a provision exempting nursing mothers from jury duty. Prior to passage, the Senate amended this bill by adopting a House Commerce Committee amendment to a similar bill, that was retained in the committee last year. This similar bill, SB 219, was tabled in the House in January. After a long subcommittee work session, the House Commerce Committee, with a strong bipartisan majority (18-2), amended this bill to establish an Advisory Council on Lactation. The council's duties are to consider the goals of the Office of the Surgeon General and the US Breastfeeding Committee and to examine best practices in New Hampshire for, not only breastfeeding, but also expressing breast milk at work. The advisory council is required to file an interim report by November 1, 2016 and a final report by December 1, 2017. Vote 19-1.

Amendment (1372h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing an advisory council on lactation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Advisory Council on Lactation. Amend RSA 275 by inserting after section 75 the following new subdivision:

Advisory Council on Lactation

275:76 Advisory Council on Lactation.

- I. There is hereby established an advisory council on lactation. The advisory council shall consider the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:
- (a) One member of the house of representatives, appointed by the speaker of the house of representatives.
 - (b) One member of the senate, appointed by the senate president.
 - (c) The commissioner of the department of labor, or designee.
- (d) A representative from the women, infants, and children program (WIC), appointed by the commissioner of the department of health and human services.
 - (e) A certified midwife, appointed by the midwifery council established in RSA 326-D:3.
- (f) A member of the New Hampshire Business and Industry Association, appointed by the association.
 - (g) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.
 - (h) The chairperson of the New Hampshire Breastfeeding Task Force, or designee.
 - (i) A hospital administrator from a certified baby-friendly hospital, appointed by the governor.
 - (i) A transportation representative, appointed by the governor.
 - (k) A currently breastfeeding mother, appointed by the governor.
- (l) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.
- II. The advisory council may examine best practices in New Hampshire, including but not limited to the Baby Friendly Hospital Initiative, Family and Sick Leave, Childcare Trainings on Breastfeeding, Milk Banks, Lactation Spaces in Public Accommodations, and the World Health Organization's International Code of Marketing of Breastmilk Substitutes.
- III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the commission.
- IV. The advisory council may meet as often as necessary to effectuate its goals and meetings may be held by conference call. A minimum of 3 meetings per year shall be open to the public.
- V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.
 - 2 Repeal. RSA 275:76, relative to an advisory council on lactation, is repealed.
 - 3 Effective Date.
 - I. Section 2 of this act shall take effect December 1, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes an advisory council on lactation. Referred to the Committee on Judiciary.

SB 468-FN, relative to changes to the sex offender registry. OUGHT TO PASS WITH AMENDMENT. Rep. Robert Cushing for Criminal Justice and Public Safety. In March of 2015 the New Hampshire Supreme Court ruled in the case of John Doe v. State of New Hampshire that a group of sex offenders convicted of crimes before the sex offender registry was created in 1992 and placed on the registry as a Tier III offender had been denied their right to due process to have their names removed from the registry. The court ruled that a group of convicted sex offenders who were not aware at the time of their conviction that they would be placed on the sex offender registry were entitled to petition to have their names removed from the registry altogether if they could prove that they were no longer a risk to the public. The court left it

to the legislature to determine how to assess the dangerousness of this group before allowing them to be removed from the registry. This bill establishes a procedure that will improve public safety for all New Hampshire residents by utilizing an effective risk assessment to ensure that the current danger of an offender is assessed. It also ensures that the victims of these serious offenders have notice that their victimizer is attempting to come off the sex offender registry and provides the opportunity for the victim to have input into this decision. This amended bill was supported by the Coalition Against Domestic and Sexual Violence, the New Hampshire Civil Liberties Union, and the Attorney General. Vote 19-0.

Amendment (1232h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III(a)(1) to read as follows:
- (1) Except as provided in paragraph V, all tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.
- 2 New Paragraph; Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 by inserting after paragraph IV the following new paragraph:
- V.(a) Any tier II of tier III offender who was convicted prior to the establishment of the sex offender registry may petition the court to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any period of supervised release. The petition shall also be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the petitioner is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent predicate conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. Such petition shall not be filed as or addressed as part of a criminal case.
- (b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney, the department of safety sex offender unit, and the department of corrections. The county attorney shall use reasonable efforts to notify the victim or victim's family. The court shall permit those parties to be heard on the petition. The victim may appear personally, or through a representative, or may provide a written statement expressing his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim when making a decision regarding the petition.
- (c) The court may grant the petition if the offender has not been convicted of any subsequent offense requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, and has demonstrated that he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.
 - 3 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:
- I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. [The offender] Either party shall have the right to appeal the commissioner's decision in superior court.
 - 4 Effective Date. This act shall take effect upon its passage.

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. OUGHT TO PASS.

Rep. John Martin for Criminal Justice and Public Safety. This bill would require all law enforcement agencies in the state to file reports in accordance with the FBI's Uniform Crime Reporting Program. Currently, there are 53 localities that do not report this information. Only nine of those localities do not have the records management system to comply with this requirement. The bill states that those agencies will have the means to report provided to them by the Department of Safety, eliminating any prohibitions under Part I, Article 28-a of the NH Constitution. Currently, the state is spending millions of dollars in the face of the opioid crisis and these 53 agencies are not reporting data which could be used in assessing the effectiveness of these new expenditures. This bill closes a hole in the reporting system and adds to the database reporting the effectiveness of state spending. Vote 16-3.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. OUGHT TO PASS.

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the amount credited to a fine when the defendant is incarcerated for non-payment of a fine. The amount of jail time is reduced and therefore the county and county taxpayers are well served. Currently the amount to be deducted is \$50 per day, and this bill increases the amount to \$150 per day. Vote 13-0.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Elliott for Education. This bill adds an employee to the Community College System of New Hampshire Board of Trustees. The bill further establishes a process by which 3 employees, other than personnel on the system leadership team (SLT), are elected to a slate of three potential candidates from which the Governor selects on for consent of the council. Community College leadership and employees support this bill as it strengthens system participation, communication and transparency. Lastly, the bill contains a "conflict of interest" clause. Vote 19-0.

Amendment (1353h)

Amend RSA 188-F:4, II(1) as inserted by section 1 of the bill by replacing it with the following:

(l)(1) One member shall be an employee of the community college system of New Hampshire. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an election at all-college/institutional forum, shall nominate a slate of 3 employees, that shall not include members of the community college system leadership team (SLT), whose names shall be forwarded to the governor who shall choose one for the nomination. The employee-trustee shall serve a 2-year term. In the event the employee-trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee-trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a slate of 3 employees, not to include a member of the SLT, whose names shall be forwarded to the governor for consideration.

(2) For purposes of this paragraph, "community college system leadership team (SLT)" means and is comprised of the chancellor, vice chancellor, president of each community college, and the chancellor's senior staff associated with statewide policy and operational coordination as identified in the handbook for administrative, managerial, professional and operating support staff exempt from the collective bargaining process, as approved by the community college system of New Hampshire board of trustees.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4: 3 New Paragraph; Conflict of Interest. Amend RSA 188-F:4 by inserting after paragraph VII the following new paragraph:

VIII. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation because he or she has a pecuniary or personal interest or other conflict of interest.

AMENDED ANALYSIS

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

SB 353, relative to names on ballots. OUGHT TO PASS.

Rep. William Gannon for Election Law. This bill seeks to level the playing field so that all names on the ballot receive no undue preference due to one candidate using a change in font, capitalization, or other means to make his name stand out, making its' appearance inconsistent with that of the names around him. Vote 17-0.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. OUGHT TO PASS.

Rep. William Gannon for Election Law. This bill amends the process for reporting of receipt and expenditures by candidates and candidate committees by authorizing an electronic system for uploading reports to the Secretary of State's website. This will simplify and expedite this administrative process. Vote 17-0.

SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. INEXPEDIENT TO LEGISLATE.

Rep. Christy Bartlett for Environment and Agriculture. The committee heard compelling and extensive testimony on this bill. It appears to have been introduced to address a specific situation, but could have unintended consequences. This bill was written to address an individual's request who wanted to sell material from his land now in current use, but did not want to incur a land use change tax event. It was agreed by the committee that the current use law is quite specific and that the landowner gets a large tax credit in exchange for agreeing to the current use restrictions. Both the NH Municipal Association and the NH Farm Bureau are opposed to this bill. Vote 14-0.

SB 345, relative to the definition of agritourism. OUGHT TO PASS WITH AMENDMENT.

Rep. John O'Connor for Environment and Agriculture. This bill, as amended, corrects an ambiguity in the statutory definition of agriculture that currently does not include agritourism. The term "agritourism," to be defined by the bill within the definition of agriculture in RSA 21:34-a, II(b) (5), means to attract visitors to a farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, all of which are considered accessory uses to the primary farm operation. As the result of the recent Supreme Court ruling which pointed out the ambiguity within the law, a roundtable of stakeholders, including NH Municipal Association, legislators, the Department of Agriculture, Markets and Food, and the NH Farm Bureau, among others, spent months developing this legislation which is a reasonable balance between competing interests and will preserve local control. The bill will allow our farmers to contribute to both the economic viability and long-term sustainability of our New Hampshire farms. Vote 13-0.

Amendment (1286h)

Amend RSA 21:34-a, II(b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The marketing or selling at wholesale or retail, [on-site and off-site, where permitted by local regulations,] of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.

SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. INEXPEDIENT TO LEGISLATE. Rep. Peter Bixby for Environment and Agriculture. This bill would have added a requirement for hydration for domestic animals to statute, and would have created a committee to study harmful weather conditions for dogs. Current law requires that sustenance be provided, which includes hydration, making this change in law redundant. The Governor's Commission on the Humane Treatment of Animals has studied and continues to study all aspects of animal welfare and provides a manual of standards and training for local police. A study committee is unnecessary. We also heard testimony that the variability in dog breeds and acclimatization makes it impossible to develop a blanket statement concerning weather that is harmful to dogs. Vote 14-0.

SB 524, relative to state procurement card rebates. OUGHT TO PASS.

Rep. Jean Jeudy for Executive Departments and Administration. This bill removes a reference from RSA 9-D:2 that permitted a portion of state procurement card rebates be used to reduce the unfunded liability of the NH Retirement System. It also corrects a problem created by an amendment added to SB 191 last year that provided for the deposit of such rebates in the general fund. Vote 16-0.

SB 323, relative to the use of force by employees of hospitals or other health care facilities. OUGHT TO PASS.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill adds hospitals and health care facilities to an existing statute which authorizes the use of force by persons with special responsibilities. It allows an authorized hospital employee to use non-deadly force when it is reasonably believed to be necessary to maintain decorum or safety, and allows deadly force only when reasonably believed to be necessary to prevent death or serious bodily injury. The bill is critically necessary because of the number of violent situations which occur in health care settings. The committee heard testimony that hospital security personnel employees must undergo rigorous hospital specific training programs. Vote 16-0. Referred to the Committee on Criminal Justice and Public Safety.

SB 417, relative to employment contract restrictions upon physicians. OUGHT TO PASS.

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill eliminates non-compete clauses in physician contracts to the hospital. Non-compete clauses limit competition and when a physician leaves a hospital, or practice they have to leave their patients without their doctors. With the MD shortage in the state, more physicians may be enticed to move to New Hampshire if they do not have to commit to a non-compete. Doctors can be an important person to their patients once relationships are formed and this can be devastating to a patient when the doctor is forced to move out of town. Vote 19-0. Referred to the Committee on Commerce and Consumer Affairs.

SB 420-FN, relative to aid to the permanently and totally disabled. OUGHT TO PASS.

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. This bill ensures that applicants who have been denied eligibility for cash assistance as part of aid to the permanently and totally disabled be treated in the same manner as persons who were terminated. The bill also authorizes the Department of Health and Human Services to adopt rules relative to the continuation of cash assistance pending appeal of a termination or denial decision. Vote 12-0.

Referred to the Committee on Finance.

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. OUGHT TO PASS.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. The committee heard considerable testimony regarding this matter and all agreed a study to determine best practice was warranted. Vote 15-0.

SB 193-FN-L, establishing a committee to study the duties of the attorney general and the county attorneys. **INEXPEDIENT TO LEGISLATE**.

Rep. Frank Heffron for Judiciary. The committee heard testimony that the office of the attorney general meets regularly with all county attorneys in a collegial manner to discuss their respective responsibilities in criminal cases. Accordingly, the committee concluded that it is not necessary to establish a study committee. Vote 17-0.

SB 341, establishing a committee to study guardianship in New Hampshire. OUGHT TO PASS WITH AMENDMENT.

Rep. Linda Kenison for Judiciary. Regulations differ for court appointed public versus private guardians, raising questions regarding caseloads, compensation, jurisdiction, and requirements for becoming a guardian. These and other related issues are in need of review and will be studied under this bill. Vote 16-1.

Amendment (1281h)

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Four members of the house of representatives, one of whom shall be a member of the children and family law committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing sections 3 and 4 with the following:

- 3 Duties. The committee shall study guardianship in New Hampshire to determine:
 - I. Whether guardians should be registered and licensed by the state.
 - II. Who should have jurisdiction over guardians.
- III. The number of guardians in New Hampshire and how the work of a private guardian differs from that of a public, court appointed guardian.
 - IV. The requirements, if any, for someone to become a guardian.
- V. Whether New Hampshire should adopt, or adopt with amendment, the National Guardianship Association Standards of Practice.
- 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

SB 352, naming a cove in Lake Winnipesaukee as Ritson Cove. OUGHT TO PASS.

Rep. Ted Wright for Resources, Recreation and Development. Currently unnamed, this bill would name a cove at the south end of Governor's Island in Gilford after Ted Ritson who built a camp on the site in 1938. Over the last several decades, several generations of the Ritsons have been active in local conservation efforts and other community service. In particular, Ted Ritson, who died eight years ago, was very involved in water quality protection in the area. The committee feels this is a fitting tribute and, according to testimony, neighbors are in agreement. Vote 17-2.

SB 374, requiring the department of environmental services to update coastal flooding trends. OUGHT TO PASS.

Rep. Frederick Rice for Resources, Recreation and Development. The Coastal Risks and Hazards Commission recommended that their final report be updated every five years by collecting data on coastal flooding trends. Since the Department of Environmental Services was deeply involved in preparing the report and is familiar with the information involved, it is the most appropriate agency to perform this function and is therefore given this responsibility by the bill. Data will be used to update regional plans to protect the seacoast from damage due to storm surge, sea level rise, or flooding. Vote 19-0.

SB 375, establishing the coastal marine natural resources and environment commission. OUGHT TO PASS WITH AMENDMENT.

Rep. Frederick Rice for Resources, Recreation and Development. One of the requirements of the Coastal Risks and Hazards Commission, which expires at the end of this year, is to recommend rules and regulations that will protect New Hampshire's coastal resources. In order to do this, data must be collected on a periodic basis to determine what steps must be taken. This bill forms a commission that will review the data collected and make further recommendations to the legislature and Governor on an annual basis for actions to be taken. The amendment adds sedimentation as a concern to be monitored by the commission. Vote 17-0.

Amendment (1204h)

Amend RSA 485-F:3 as inserted by section 1 of the bill by replacing it with the following: 485-F:3 Duties. The commission shall:

- I. Investigate, monitor, and propose prevention and mitigation strategies for emerging environmental threats in coastal and Great Bay waters, including but not limited to warming of waters, ocean acidification, sedimentation, and nutrient loading, which impact fish, shellfish, and the food chain thereof.
- II. Identify gaps and recommend improvements in water quality monitoring, including monitoring pH and evaluating its impact on the impaired waters designation of water bodies.
 - III. Recommend strategies for enhancing capacities for improving water quality.
 - IV. Examine the Blue Carbon credit program for sea grass promotion and oyster bed restoration.
- V. Report annually on November 1 to the chairs of the house and senate committees with jurisdiction over issues affecting coastal marine resources and the environment, the senate president, the speaker of the house, and the governor.

SB 461-FN, relative to expenditures of the Winnipesaukee River Basin control program funds. OUGHT TO PASS.

Rep. James McConnell for Resources, Recreation and Development. This bill expands the purposes for which the Winnipesaukee River Basin Program funds collected from local member communities may be expended to include authority to fund studies to improve its operations. Vote 17-0.

SB 484, relative to the role of the Winnipesaukee River advisory board. OUGHT TO PASS.

Rep. James McConnell for Resources, Recreation and Development. This bill requires the Winnipesaukee River Advisory Board, which is composed of appointees from the towns and cities whose sewage is processed by the Winnipesaukee River Basin Program, to make a recommendation to the Governor and Council on each request for a contract to plan, design or construct capital improvements under RSA 485-A:49. Vote 17-0.

SB 309, relative to sulfur limits of certain liquid fuels. OUGHT TO PASS.

Rep. Glen Aldrich for Science, Technology and Energy. This bill will lower sulfur limits of certain fuels in New Hampshire to levels already adopted by all of the other New England states. Passing this bill not only helps the environment but our constituents as well. Oil burners that use low sulfur content fuel do not need to be cleaned as often. The Oil Heat Council of NH requested and supports this legislation. Vote 16-0.

SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. Only four towns in New Hampshire distribute their own electricity. This bill would require the Public Utilities Commission to make a one-time incentive payment to churches in those towns that install solar panels. Electricity users in those four towns do not contribute any funds to the Renewable Energy Fund, so the committee felt the churches should not be eligible to receive benefits from it. Vote 18-0.

SB 377, relative to emission levels of municipal waste combustion units. OUGHT TO PASS.

Rep. David Murotake for Science, Technology and Energy. This bill lowers the limits on certain emission levels of municipal waste combustion units. The bill amends RSA 125-C:10-a by placing new limits of emissions for municipal waste combustors of rated capacity between 35-250 tons of solid waste per day. Pollutants limited include particulate matter, cadmium, lead, mercury, sulfur dioxide, hydrogen chloride and dioxins. This change should improve the health of people and animals living near municipal waste combustors and reduce damage to the state's environment. Vote 17-0.

SB 357, relative to driver's license examinations. OUGHT TO PASS.

Rep. Steven Smith for Transportation. This bill adds specific items to be included in driver's license examinations covering changes to New Hampshire traffic law, driver road knowledge, and safety. These items are already in the examination and are being added to the statute. In addition to protecting drivers from tickets this will qualify NH for federal safety grants. Vote 13-2.

SB 359, relative to funding electric vehicle charging stations with municipal registration permits. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill simply adds electric vehicle charging stations to the list of allowed projects that can be funded using the municipal and transportation improvement fund. Electric vehicles will start becoming more popular. Vote 14-0.

SB 362, requiring notice to planning boards of placement of signs on scenic byways. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill simply requires the Department of Transportation to notify local planning boards of plans to add traffic signs in the state's historic and scenic areas. Testimony given mentioned new technology and requirements for road curve signs that spurred this change. Vote 15-2.

SB 519, relative to highway signs. OUGHT TO PASS.

Rep. Gladys Johnsen for Transportation. Essential motorist service signs regarding food, fuel, and attractions are permitted within limited distances on limited access highways. This bill extends the permissible zone from the Massachusetts border to Concord, and north of Concord on I-93 and I-89. Vote 17-0.

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax. OUGHT TO PASS WITH AMENDMENT.

Rep. Brian Gallagher for Ways and Means. This proposal establishes a commission to study apportionment of gross business profits under the Business Profits Tax (BPT). Testimony highlighted the need for examination of our BPT apportionment factors as other states shift to systems that negatively impact New Hampshire based businesses engaged in cross-border commerce. The amendment increases the number of House members on the committee from 2 to 3. Vote 20-0.

Amendment (1275h)

Amend RSA 77-A:22, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. OUGHT TO PASS.

Rep. Brian Gallagher for Ways and Means. This bill clarifies the application of business tax credits based on employment to client companies of employee leasing companies. This bill is a result of work done last year which allowed companies utilizing the employee leasing model to be able to use the Business Enterprise Tax (BET) credit allowed against the Business Profits Tax (BPT) liability. This proposal addresses a language issue identified by the Department of Employment Security for a credit for taxes to cover unemployment. This language also fixes an oversight relating to the application for credits in calendar or fiscal years. The Department of Revenue Administration worked with the Department of Employment Security to create a solution. All New Hampshire companies using leasing companies will be able to use the credit for BET they pay starting January 1, 2016. Vote 20-0.

SB 442-L, establishing a commission to study the taxability of lease interests in public property. OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for Ways and Means. This bill calls for a commission to study taxability of lease interests in public property. The committee agrees that this commission is required to develop suggested changes that would be uniform and fair and that could become the basis of future legislation. In section IV, the committee amended the bill to have the Senate member call the first meeting of the commission rather than the first named House member. Vote 18-2.

Amendment (1289h)

Amend RSA 72:79, II as inserted by section 1 of the bill by replacing it with the following:

- II. The members of the commission shall be as follows:
 - (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
 - (c) The commissioner of the department of revenue administration, or designee.
- (d) One representative of the New Hampshire Municipal Association, appointed by the association.
- (e) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

Amend RSA 72:79, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. REFER FOR INTERIM STUDY.

Rep. Robert Nigrello for Ways and Means. The committee has heard multiple bills this session dealing with the application of the United States Internal Revenue Code of 1986 applicable to the Business Profits Tax, subject to certain adjustments. NH business tax limits for 179(a) capital deductions (\$25,000) and the gap between the recently passed increase in the Federal Internal Revenue Code (\$500,000) 179(a) deductions are important to our business community. The unanimous vote of the Ways and Means Committee was to do additional work on SB 239, one of the similar bills already in committee, and place this

bill in interim study. Both SB 552 and SB 239 and the already passed HB 668 seek to increase the NH capital deduction for business and seek to have the Department of Revenue file a report informing the House and Senate of changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings which would impact New Hampshire. Vote 20-0.

REFERRAL DECLINED

Rep. Rowe, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 488-FN-L**, establishing an advisory council on lactation, and **SB 543-FN**, relative to private transferring of adopted children.

REGULAR CALENDAR - PART I

SB 515-FN, relative to child neglect and other changes to the child protection act. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: SPEXPEDIENT TO LEGISLATE. Rep. Frank Edelblut for the Majority of Children and Farm W.W. Under current law, the definition of a neglected child is one who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental or emotional health, when it is established that health has suffered or is very likely to suffer serious impairment. This bill as amended creates, as a probable cause circumstance, to initiate an investigation of possible neglect because of an opioid abuse or dependence. This probable cause provides parental protections of a rebuttable presumption and participation in treatment for such dependence is a legitimate reason for rebuttal. There is no provision in this bill regarding prenatal care. Currently, this issue is being addressed by hospitals developing best practices procedures. This bill is specifically targeting the opioid crisis even though the committee recognizes there are other harmful drugs. The Division of Children, Youth and Families (DCYF) is flexible about treatment, especially where there is a scarcity of treatment; for example, there are Family Resource Centers and Licensed Alcohol and Drug Counselors in each county. There is a sunset provision in the bill of July 2020. Vote 11-3. Rep. Elizabeth Ferreira for the Minority of Children and Family Law. Although the minority recognizes the good intentions behind the bill, significant concerns were raised during the public hearing about unintended consequences if the bill were to become law. OB/GYN doctors and nurses, as well as educators and advocates working against addiction, testified that the bill would discourage pregnant women with substance use disorder from seeking prenatal treatment. For example, a pregnant woman in recovery who slipped back into drug use might not be forthcoming with her health care provider about the relapse, or might avoid prenatal checkups altogether, to avoid legal consequences. This would endanger her unborn child. Some experts questioned why the bill was limited to opioids, and why the use of other substances would not also be considered neglect. In their view, this would create an incentive to use other drugs instead. Another concern raised was that the bill would require a level of treatment not available in certain parts of our state, and that, even where treatment programs are available, some have long waiting lists, making compliance difficult. There were also concerns that this law would add a lot of cases to an already burdened division of DHHS. Moreover, it was unclear what, precisely, would define compliance with the law. Therefore, the minority believes that the proposed legislation would cause more harm than good.

Majority Amendment (1354h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the child protection act.

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence.

Amend the bill by replacing all after section 4 with the following:

- 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.
- 6 Effective Date.
 - I. Section 5 of this act shall take effect July 1, 2020.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Itse offered floor amendment (1481h).

Floor Amendment (1481h)

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, is evidence that a child's health has suffered or is very likely to suffer serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence such as the parent's participation in treatment for such use or dependence or another responsible adult in the home acting as a caretaker.

Amend the bill by replacing all after section 4 with the following:

- 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.
- 6 Effective Date.
 - I. Section 5 of this act shall take effect July 1, 2020.

Flanders Donald

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the child protection act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests. Rep. Itse spoke in favor.

Rep. Berrien spoke against.

Ejolde Donnie

Floor amendment (1481h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Simmons requested a roll call; sufficiently seconded.

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Spanos Peter

Fraser Valerie

YEAS - 203 BELKNAP

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		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel Umberger, Karen	McConkey, Mark	Parker, Harold	Schmidt, Stephen
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy		
		COOS	
Fothergill, John Tholl, John	Froburg, Alethea Thomas, Yvonne	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard Brown, Duane Higgins, Patricia Massimilla, Linda Smith, Suzanne Almy, Susan Hennessey, Erin Ladd, Rick Nordgren, Sharon Sykes, George

Ford, Susan Hennessey, Martha Piper, Wendy Townsend, Charles

Bennett, Travis

Cooney, Mary Gionet, Edmond Maes, Kevin Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert Booras, Efstathia Cote, David Edelblut, Frank Gagne, Larry Gorman, Mary Harvey, Suzanne Infantine, William Kurk, Neal Mangipudi, Latha Palmer, Barry Porter, Marjorie Snow, Kendall

Williams, Kermit

Baroody, Benjamin Christensen, Chris Sullivan, Daniel Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Heath, Mary Belanger, James Ober, Lynne Manley, Jonathan Pellegrino, Anthony Walsh, Robert Soucy, Timothy Wolf, Terry Barry, Richard
Cohen, Alan
Danielson, David
Forest, Armand
Gidge, Kenneth
Haefner, Robert
Herbert, Christopher
Jack, Martin
Leishman, Peter
Marston, Dick
Peterson, Ken
Rowe, Robert
Vann, lvy
Woodbury, David

Biggie, Barbara Cornell, Patricia DiSilvestro, Linda Freitas, Mary Goley, Jeffrey Hansberry, Daniel Hinch, Richard Jeudy, Jean O'Brien, Michael Martel, Andre Pierce, David Shattuck, Gilman O'Brien, William

MERRIMACK

Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Moffett, Howard Saunderson, George Wheeler, Deborah

French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Myler, Mel Schuett, Dianne Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Patten, Dick Shurtleff, Stephen

Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Martin, John Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cushing, Robert Elliott, Robert Francese, Paula Hoelzel, Kathleen Matthews, Carolyn Milz, David Sherman, Thomas Weyler, Kenneth Allen, Mary Borden, David Devine, James Rice, Frederick Ward, Gerald Sweeney, Joe McBeath, Rebecca Packard, Sherman Simpson, Alexis Woitkun, Steven Azarian, Gary Cahill, Michael DiFranco, Debbie Ferrante, Beverly Hagan, Joseph Lovejoy, Patricia McKinney, Betsy Belanger, Ronald Sytek, John

Barnes, Arthur Cali-Pitts, Jacqueline Edgar, Michael Fesh, Robert Heffron, Frank Major, Norman McMahon, Charles Tilton, Rio Welch, David

STRAFFORD

Baber, William Cilley, Jacalyn Smith, Marjorie Sprague, Dale Berube, Roger Gray, James Schmidt, Peter Treleaven, Susan Bixby, Peter Horrigan, Timothy Rollo, Deanna Wall, Janet Burton, Wayne Ward, Kenneth Southworth, Thomas

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Smith, Steven Converse, Larry Irwin, Virginia Gagnon, Raymond O'Hearne, Andrew

NAYS - 129 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Gallagher, Brian
Howard, Raymond	Hurt, George	LeBreche, Shari	Sylvia, Michael
Vadney, Herbert			

CARROLL

Avellani, Lino Comeau, Ed McCarthy, Frank Nelson, Bill

Ticehurst, Susan

CHESHIRE

McConnell, James Sterling, Franklin

COOS

Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Darrow, Stephen Johnson, Eric Hull, Robert

HILLSBOROUGH

Ammon, Keith Griffin, Barbara Balcom, John Adams, Christopher Boehm, Ralph Burt, John Byron, Frank Coffey, James Eastman, Eric Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Halstead, Carolyn Hansen, Peter Smith, Gregory Gould, Linda Rice, Kimberly Christiansen, Lars Hogan, Edith Hopper, Gary McClarren, Donald McLean, Mark Lachance, Joseph LeBrun, Donald Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Proulx, Mark Christie, Rick Ohm, Bill McCarthy, Peggy Seidel, Carl Ober, Russell Rouillard, Claire Sanborn, Laurie Stepanek, Stephen Straight, Phillip Simmons, Tammy Souza, Kathleen Zaricki, Nick Twombly, Timothy Ulery, Jordan Sullivan, Victoria

MERRIMACK

Turcotte, Alan Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan French, Harold Hill, Gregory Hoell, J.R. Horn. Werner Kuch. Bill Marple, Richard Parent, Jason

Seaworth, Brian

ROCKINGHAM

Baldasaro, Alfred Bates, David Cardon, G. Thomas Abramson, Max Thomas, Douglas Doucette, Fred Duarte, Joe Chirichiello, Brian Guthrie, Joseph Gannon, William Green, Dennis Emerick, J. Tracy Ward, Joanne Harris, Jeffrey Hodadon, Bruce Itse. Daniel Katsakiores, Phyllis Kolodziej, Walter Lundgren, David Kappler, Lawrence Nigrello, Robert Osborne, Jason Griffin, Mary Manning, John Gordon, Richard Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Tucker, Pamela Schroadter, Adam Spillane, James True, Chris Vose, Michael Webb, James

STRAFFORD

Beaudoin, Steven Bickford, David DeLernus, Susan Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard Leeman, Don Mullen, John Pitre, Joseph Whitehouse, Joshua Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip and the majority committee report was adopted and referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of SB 323, relative to the use of force by employees of hospitals or other health care facilities.

REGULAR CALENDAR PART I CONT'D

SB 500-FN, relative to student health insurance plans. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue to operate student health insurance plans on a self-funded basis. Both institutions have been operating such plans for several years. There is a need to provide for oversight of the plans by the New Hampshire Insurance Department, since they are currently not regulated with respect to financial solvency or consumer protections by any other state or federal regulator. The bill is the result of a collaborative discussion with the affected entities as to the best way to proceed on this issue. The Insurance Department has made it clear that they would like to continue to collaborate as the bill moves forward in the legislature, to ensure that its objectives are clear and that the contemplated process works smoothly. Vote 16-4. Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 256 NAYS 84

YEAS - 256

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Dumais, Russell Hurt, George	Tilton, Franklin Fraser, Valerie	Fields, Dennis Vadney, Herbert	Flanders, Donald
	(CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	
		COOS	
Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne
		GRAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Cooney, Mary	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Boehm, Ralph	Booras, Efstathia
Christensen, Chris	Coffey, James	Cohen, Alan	Cornell, Patricia
Cote, David	Sullivan, Daniel	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Flanagan, Jack	Forest, Armand	Freitas, Mary
Smith, Gregory	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Guerette, C. Lee

Haefner, Robert
Herbert, Christopher
Belanger, James
Kurk, Neal
Leishman, Peter
McClarren, Donald
Palmer, Barry
Proulx, Mark
Rowe, Robert
Shaw, Barbara
Straight, Phillip
Wolf, Terry

Hansberry, Daniel Hinch, Richard Jack, Martin Christiansen, Lars O'Brien, Michael Ohm, Bill Pellegrino, Anthony Walsh, Robert Sanborn, Laurie Snow, Kendall Ulery, Jordan

Harvey, Suzanne Hopper, Gary Jeudy, Jean Ober, Lynne Mangipudi, Latha Long, Patrick Pierce, David Rosenwald, Cindy Seidel, Carl Soucy, Timothy Vann, Ivy Heath, Mary
Infantine, William
Rice, Kimberly
LeBrun, Donald
Manley, Jonathan
McCarthy, Peggy
Porter, Marjorie
Rouillard, Claire
Shattuck, Gilman
Souza, Kathleen
Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hess, David Frazer, June Kotowski, Frank Moffett, Howard Saunderson, George Wheeler, Deborah

Alicea, Caroletta Rice, Chip Gile, Mary Hill, Gregory Karrick, David Luneau, David Myler, Mel Schuett, Dianne

Woodbury, David

French, Barbara Carson, Clyde French, Harold Hirsch, Geoffrey Kenison, Linda MacKay, James Patten, Dick Shurtleff, Stephen

Bartlett, Christy Doherty, David Henle, Paul Horn, Werner Kidder, David Martin, John Rogers, Katherine Wallner, Mary Jane

Barnes, Arthur

Cali-Pitts, Jacqueline

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Devine, James
Rice, Frederick
Friel, William
Heffron, Frank
Kolodziej, Walter
Manning, John
Milz, David
Peckham, Michele
Tilton, Rio
Sytek, John
Weyler, Kenneth

Allen, Mary Borden, David Cushing, Robert DiFranco, Debbie Ferrante, Beverly Ward, Gerald Hoelzel, Kathleen Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Potucek, John Schroadter, Adam Tucker, Pamela Woitkun, Steven Azarian, Gary
Cahill, Michael
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
Sweeney, Joe
Griffin, Mary
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sherman, Thomas

Dean-Bailey, Yvonne Elliott, Robert Francese, Paula Hagan, Joseph Katsakiores, Phyllis Major, Norman McMahon, Charles Packard, Sherman Belanger, Ronald Simpson, Alexis Welch, David

STRAFFORD

Baber, William Burton, Wayne Gray, James Leeman, Don Rollo, Deanna Wall, Janet Berube, Roger Cheney, Catherine Horrigan, Timothy Smith, Marjorie Southworth, Thomas Bickford, David Cilley, Jacalyn Ward, Kenneth Mullen, John Sprague, Dale

Webb, James

Bixby, Peter Gardner, Janice Knowles, Robert Schmidt, Peter Treleaven, Susan

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Smith, Steven Cloutier, John Grenier, James Converse, Larry Irwin, Virginia Gagnon, Raymond Oxenham, Lee

NAYS - 84 BELKNAP

Aldrich, Glen Spanos, Peter Gallagher, Brian Sylvia, Michael Howard, Raymond

LeBreche, Shari

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

McConnell, James

GRAFTON

Johnson, Eric Hull, Robert Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Burt, John
Byron, Frank	Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Lachance, Joseph	Marston, Dick	Martel, Andre	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Peterson, Ken	Christie, Rick	Ober, Russell	Simmons, Tammy
Twombly, Timothy	Sullivan, Victoria	O'Brien, William	Zaricki, Nick

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hoell, J.R.	Kuch, Bill	Marple, Richard	Parent, Jason
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Doucette, Fred	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce	Ward, Joanne
Kappler, Lawrence	Lundgren, David	McBeath, Rebecca	Osborne, Jason
Gordon, Richard	Spillane, James	True, Chris	Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Turcotte, Leonard	Pitre, Joseph
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Laware, Thomas O'Hearne, Andrew Rollins, Skip and the committee report was adopted and referred to the Committee on Finance.

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. MAJORITY: INEXPEDIENT TO LEGISLATE, MINORITY: OUGHT TO PASS.

Rep. Ralph Boehm for the Majority of Education. This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a "pay for success" partnership between providers of pre-kindergarten education services and investors. Although the bill indicates that program costs will be paid by private investment, at some point costs will ultimately be paid by the taxpayer. The question must be asked, "At what age will we allow the state to take over the job of parenting young children because the state knows best?" Studies from the National Institute of Child Health and Human Development show that children who spend time in non-maternal care before age 5 have more behavior problems later in life. The bill supposes that pre-kindergarten programming will result in less remedial or special education services in third grade, but these results may not be proven for at least four years from now. Further, with the way that success is measured or set up by the commission or third party evaluator, results data supporting an investment return to investors could be manipulated. Success of this program relies on private investments which could lead to lawsuits against the state should the investment return associated with the measures of student growth be questioned showing little or no student improvement. There are many variables in education associated with student growth. To say growth is a result of one variable such as pre-kindergarten programming would be difficult to prove. This bill has too many unanswered issues. Vote 16-4.

Rep. Mary Heath for the Minority of Education. The minority finds this bill establishes a commission to extend invitations to establish pilot pre-kindergarten education services in New Hampshire to improve educational outcomes for its youngest children utilizing a "pay for success" model to finance the pilot program. This tool allows for philanthropic funders and impact investors to provide the initial capital to implement the programs. This bill aims to improve third grade reading proficiency and to reduce the need for special education remediation. To accomplish these goals this bill provides for an impact study project to expand proven, quality pre-kindergarten services without risking local or state dollars to determine if the proposed program will result in the promised goal attainment. Through pay for success, the commission will establish contracts between: (1) One or more providers of pre-k services, who will provide pre-k services to expand cohorts of 4-year olds in NH; (2) Third party investors will provide the upfront capital to expand and deliver those services. These investors may include investors seeking a return of both principal and interest, philanthropic investors seeking only a full or partial return of the principal and/or grantors and federal agencies that do not seek a financial return; and (3) The state would agree to repay investors only if the evaluator determines the services did improve the third grade reading and special education outcomes. This bill will help providers to identify quality pre-k programs using rigorous longitudinal data regarding student outcomes so that proven quality practices can be shared and implemented in NH by those providers wishing to offer such programs. Majority committee report adopted.

SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill establishes a Board of Septic System Evaluators for the licensure and regulation of persons engaged in the practice of septic system evaluations. The bill is proposed as a consumer protection measure. The committee heard testimony that 50% of NH homes are on individual septic systems, the second highest in the country. Yet, there are currently no state standards or guidelines for those engaged in the practice of septic system evaluation. This shortcoming in the practice can potentially lead to a cost exceeding \$10,000 for the unnecessary replacement of a septic field. The licensure and regulation proposed by this bill will help to ensure a more uniform set of standards by which septic evaluators provide their service. The legislation itself was proposed by the septic system trades. The amendment to the bill made several technical corrections and revised penalties to be in line with other statutes on certain criminal practices. The amendment also ensured liberal, yet functional, grandfathering provisions for those currently providing septic evaluations. This will permit practicing and qualified practitioners to continue to do their work without undue hardship. Vote 13-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to create a new license for those that evaluate or inspect septic systems. These inspections are typically done when there are issues with the system or when there is a real estate transaction and the potential buyer wants to know if the septic system is in good working order. The draft of this bill was based on the home inspectors license and there were numerous issues found with that "boiler plate" language that was used as the basis for this potential law. After multiple subcommittee hearings and several executive sessions a significant rewrite of the bill took place. The issues with the proposed licensure system are as follows: current DES rules, Chapter Env-Wq 1000 Subdivision and Individual Sewerage Disposal System Design Rules, Env-Wq 1003.22, already require that an inspector get written confirmation from the town health inspector or building inspector when the inspector is stating the septic system is in "failure." With a state license the consumer may be lulled into a false sense of security. For example, it has been reported by government studies and as well the AMA that in one of the most regulated fields, that of medicine, that between 210,000 and 440,000 injuries including death occur in the US annually and this is a completely licensed set of professions. Furthermore, the training may indicate a level of classroom and field training, but with this license, there is no indication of efficiency, reliability, or honesty, nor is there any level of guaranteed competence. The consumers will still need to count on free market solutions to know the quality of the inspector that they are hiring. Lastly, the license system creates larger but not better government. Although the joint board overseeing this new license will be self-funding under this statute, there is no liability to the state if the individual licensed by the state fails to do a good job and therefore the consumer is paying for something that they are not getting. The minority recommends this bill be held for interim study to make sure the bill is ready to be turned into a statute.

Majority Amendment (1273h)

Amend RSA 310-A:203, III as inserted by section 2 of the bill by replacing it with the following: III. "Code of ethics" means the code of ethics described in RSA 310-A:205 that is followed by septic system evaluators who are licensed as septic system evaluators by the board.

Amend RSA 310-A:205, V as inserted by section 2 of the bill by deleting subparagraph (f).

Amend RSA 310-A:206, I(e) as inserted by section 2 of the bill by replacing it with the following:

- (e) An employee of the department of environmental services, appointed by the commissioner of the department of environmental services.
- Amend RSA 310-A:206, V as inserted by section 2 of the bill by replacing it with the following:
- V. Members shall be appointed for 5-year terms. Appointments for terms of less than 5 years may be made in order to stagger the appointments. No member shall be eligible to serve more than 2 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

Amend RSA 310-A:206, VIII and IX as inserted by section 2 of the bill by replacing them with the following:

- VIII.(a) The board shall keep a record of its proceedings and a register of all applications for licensure, which shall show:
 - (1) The name, age, and residence of each applicant.
 - (2) The date of application.
 - (3) The place of business of such applicant.
 - (4) The applicant's educational and other qualifications.
 - (5) Proof of passing the septic system evaluator exam.
 - (6) Whether the applicant was rejected and the reasons for such rejection.
 - (7) Whether a license was granted.
 - (8) The date of the action of the board.
 - (9) Such other information as may be deemed necessary by the board.
- (b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December 31, the board shall submit to the executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.
- IX. The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate. Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:
 - 310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.
- I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:
 - (a) Completion of classroom and field training at a board-approved evaluator course.
 - (b) Proof of passing the board-adopted examination required for licensure.
 - (c) Be at least 18 years of age.
- II. A person who currently holds a Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.
- III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An application for licensure under this paragraph

shall be made within one year following the effective date of this subdivision. The applicant shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

- IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be issued a license by the board without completion of the requirements of subparagraph I(a) or I(b) upon request of the applicant. An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision.
- V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.
- VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.
- VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:
 - (a) Misstatement of facts by the applicant in connection with the application;
- (b) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or
- (c) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.

Amend RSA 310-A:215, II as inserted by section 2 of the bill by replacing it with the following:

II. All licenses issued by the board shall expire on the last day of the license holder's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the license holder's name shall be removed from current status, and application for reinstatement shall be required to return to current status provided that the license holder provides satisfactory proof that all required continuing education requirements have been met. The board shall charge a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. If a license holder fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the license holder shall be required to reapply and to be re-examined for licensure.

Amend RSA 310-A:216 as inserted by section 2 of the bill by replacing it with the following:

310-A:216 Disciplinary Action.

- I. The board may undertake disciplinary proceedings upon written complaint of any person which charges that a person certified by the board has committed misconduct under paragraph II and which specifies the grounds therefor.
 - II. Misconduct sufficient to support disciplinary proceedings under this section shall include:
- (a) The practice of fraud or deceit in procuring or attempting to procure a license to practice under this subdivision.
- (b) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession.
- (c) Unfitness or incompetence by reason of negligence or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the license holder.
 - (d) Mental or physical incompetence to practice under this subdivision.
 - (e) Willful or repeated violation of the provisions of this subdivision.
- (f) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.
- (g) Violations of the code of ethics for septic system evaluators, or any other rule adopted by the board.
 - (h) Providing false testimony before the board.
- (i) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the board as a result of any formal complaint to the board alleging a violation of this subdivision.
- (j) Knowingly making or signing any false statement, license, or affidavit in connection with the practice of septic system evaluations.

Amend RSA 310-A:217, II as inserted by section 2 of the bill by replacing it with the following:

- II.(a) The board shall have the power to administer oaths or affirmations and preserve testimony.
- (b) The board may subpoena witnesses, and compel, by subpoena duces tecum, the production of all books, records, files and documents, whether originals, copies, or in electronic or other form, and other materials, relevant to its investigation of any grievance, complaint, or disciplinary proceeding before the board with the approval of the office of the attorney general.
- (c) A minimum of 10 business days' notice shall be given for compliance with a subpoena under this subdivision.

Amend RSA 310-A:219 - RSA 310-A:221 as inserted by section 2 of the bill by replacing them with the following:

310-A:219 Violations; Penalty.

- I. It shall be a class B misdemeanor, for the first offense, and a Class A misdemeanor for the second and any subsequent offense, for any natural person to:
 - (a) Present or attempt to use the license of another as one's own;
- (b) Give any false or forged evidence of any kind to the board or to any board member in obtaining a license;
 - (c) Attempt to use a revoked license;
- (d) Beginning January 1, 2017, practice septic system evaluations or to offer, advertise, or hold oneself out to the public as being in the practice of septic system evaluation in this state without a license; or
 - (e) Violate any of the provisions of this subdivision.
 - II. It shall be a violation for any natural person to attempt to use an expired license.
- 310-A:220 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:219 on proceedings brought by the attorney general, or the board.
- 310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect the following persons from evaluating septic systems:
- I. A person who is employed by a governmental entity if the inspection is within official duties and responsibilities.
- II. A septic system designer holding a current valid permit issued under RSA 485-A:35. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Hoell and Beaudoin spoke against and yielded to questions.

Rep. Cilley spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 178 NAYS 162

YEAS - 178 BELKNAP

Fields, Dennis

CARROLL

Buco, Thomas Parker, Harold	Butler, Edward Ticehurst, Susan	Crawford, Karel Umberger, Karen	McConkey, Mark
	C	HESHIRE	
Abbott, Michael Bordenet, John Johnsen, Gladys Pearson, William Sterling, Franklin	Ames, Richard Chase, Cynthia Roberts, Kris Robertson, Timothy Weber, Lucy	Tilton, Benjamin Eaton, Daniel Mann, John Sad, Tara	Berch, Paul Emerson, Susan Parkhurst, Henry Shepardson, Marjorie
		coos	

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert Tholl, John Thomas, Yvonne

GRAFTON

Abel. Richard Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Higgins, Patricia Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Brown, Rebecca Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Baroody, Benjamin Booras, Efstathia Cohen, Alan Sullivan, Daniel Danielson, David Freitas, Mary Gagne, Larry Golev, Jeffrey Gorman, Marv Hansberry, Daniel Harvey, Suzanne Hinch, Richard Jack, Martin Leishman, Peter O'Brien, Michael Martel, Andre Long, Patrick Peterson, Ken Porter, Marjorie Rosenwald, Cindy Shattuck, Gilman Vann, Ivy Williams, Kermit

Barry, Richard Cornell, Patricia DiSilvestro, Linda Gargasz, Carolyn Guerette, C. Lee Heath, Mary Jeudy, Jean Mangipudi, Latha McCarthy, Peggy Proulx, Mark Snow, Kendall Wolf, Terry

Beaulieu, Jane Cote, David Forest, Armand Gidge, Kenneth Haefner, Robert Herbert, Christopher Christiansen, Lars Manley, Jonathan Pellegrino, Anthony Walsh, Robert Soucy, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kotowski, Frank Myler, Mel Schuett, Dianne Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Luneau, David Patten, Dick Shurtleff, Stephen French, Barbara Carson, Clyde Henle, Paul Karrick, David MacKay, James Rogers, Katherine Wallner, Mary Jane

Bartlett, Christy Doherty, David Hess, David Kenison, Linda Moffett, Howard Saunderson, George Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick Cali-Pitts, Jacqueline Edgar, Michael Friel, William Hoelzel, Kathleen Milz, David Sherman, Thomas Berrien, Skip Cushing, Robert Elliott, Robert Ward, Gerald Lovejoy, Patricia Nigrello, Robert Simpson, Alexis

Borden, David Devine, James Rice, Frederick Hagan, Joseph Griffin, Mary Belanger, Ronald Sytek, John Cahill, Michael DiFranco, Debbie Francese, Paula Heffron, Frank McBeath, Rebecca Tilton, Rio Woitkun, Steven

STRAFFORD

Baber, William Cilley, Jacalyn Ward, Kenneth Southworth, Thomas Berube, Roger Gardner, Janice Smith, Marjorie Spang, Judith Bixby, Peter Gray, James Schmidt, Peter Treleaven, Susan Burton, Wayne Horrigan, Timothy Rollo, Deanna Wall, Janet

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Converse, Larry Irwin, Virginia

Gagnon, Raymond O'Hearne, Andrew

NAYS - 162 BELKNAP

Russell Tilton

Aldrich, Glen Gallagher, Brian Spanos, Peter Dumais, Russell Howard, Raymond Sylvia, Michael Tilton, Franklin Hurt, George Fraser, Valerie Flanders, Donald LeBreche, Shari Vadney, Herbert

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn McCarthy, Frank Nelson, Bill Schmidt, Stephen

CHESHIRE

Hunt, John McConnell, James

COOS

Richardson, Herbert Rideout, Leon

GRAFTON

Brown, Duane

Gionet, Edmond

Darrow, Stephen Hennessey, Erin Hull, Robert Ladd, Rick

Johnson, Eric Shackett, Jeffrey

Bailey, Brad

HILLSBOROUGH

Adams, Christopher Ammon, Keith Griffin, Barbara Balcom, John Biggie, Barbara Boehm, Ralph Bouldin, Amanda Burt, John Coffey, James Eastman, Eric Edelblut, Frank Byron, Frank Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Smith, Gregory Hogan, Edith Gould, Linda Haistead, Carolyn Hansen, Peter Hopper, Gary Infantine, William Belanger, James Rice, Kimberly LeBrun, Donald Marston, Dick McClarren, Donald Lachance, Joseph McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Palmer, Barry Pierce, David Ohm, Bill Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Shaw, Barbara Simmons, Tammy Straight, Phillip Twombly, Timothy Souza, Kathleen Stepanek, Stephen Sullivan, Victoria O'Brien, William Zaricki, Nick Ulery, Jordan

MERRIMACK

Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan French, Harold Hoell, J.R. Horn, Werner Kidder, David Kuch, Bill Marple, Richard Martin, John Parent, Jason Seaworth. Brian

ROCKINGHAM

Abramson, Max Allen, Marv Azarian, Garv Baldasaro, Alfred Cardon, G. Thomas Barnes, Arthur Bates, David Chirichiello, Brian Thomas, Douglas Dean-Bailey, Yvonne Doucette, Fred Duarte, Joe Emerick, J. Tracv Ferrante, Beverly Fesh. Robert Gannon, William Green, Dennis Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Sweeney, Joe Ward, Joanne Kappler, Lawrence Katsakiores, Phyllis Kolodziei, Walter Lundgren, David Major, Norman Manning, John McKinney, Betsy McMahon, Charles O'Connor, John Matthews, Carolyn Osborne, Jason Packard, Sherman Peckham, Michele Potucek, John Prudhomme-O'Brien, Katherine Gordon, Richard Schroadter, Adam Spillane, James Tucker, Pamela True, Chris Vose, Michael Webb, James Welch, David Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Bickford, David Cheney, Catherine DeLemus, Susan Groen, Warren Kaczynski, Thomas Hannon, Joseph Jones, Laura Knowles, Robert Turcotte, Leonard Leeman, Don Mullen, John Pitre, Joseph Sprague, Dale Whitehouse, Joshua Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip Smith, Steven and the majority committee report was adopted and referred to the Committee on Finance.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill changes the appointment process for members of the commission and removes the requirement that appointees be approved by the Governor and Council. It adds additional reporting requirements to the governor's commission, including biannual reports on financial expenditures for substance abuse related work, and presentations once each legislative session to the Finance Committees of the House and Senate, the Health and Human Services Committees of both bodies, and the Joint Fiscal Committee. The bill appropriates the additional sums of \$3,000,000 to the governor's commission for contracts for program services, \$2,000,000 for funding supportive housing projects for persons with substance abuse disorders in fiscal year ending June 30, 2017. The bill appropriates \$20,830 for fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30 2017 to the department of justice for an additional assistant attorney general to prosecute drug cases. All sums appropriated will come from excess appropriations. Vote 18-0.

Amendment (1356h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Amend the bill by replacing section 10 with the following:

10 Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$3,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

II. For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

Amend the bill by replacing all after section 11 with the following:

12 Health and Human Services; Prevention Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2988 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

13 Health and Human Services; Clinical Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2990 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

14 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Dan McGuire spoke against.

The Speaker ruled the debate by Rep. Dan McGuire out of order.

Rep. Weber spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 235 NAYS 109

YEAS - 235

]	BELKNAP	
Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
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Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	_		
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Mann, John
Parkhurst, Henry	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	
		coos	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne
		GRAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Hennessey, Erin	Ford, Susan	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Brown, Rebecca	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HIL	LSBOROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard

		SDOROCGII	
Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Sullivan, Daniel	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Forest, Armand	Freitas, Mary	Smith, Gregory	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Infantine, William	Belanger, James	Jack, Martin	Jeudy, Jean
Rice, Kimberly	Kurk, Neal	LeBrun, Donald	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Murotake, David
Long, Patrick	McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert

Gionet, Edmond

Hull, Robert

Shattuck, Gilman Straight, Phillip Woodbury, David	Shaw, Barbara Vann, Ivy	Snow, Kendall Williams, Kermit	Soucy, Timothy Wolf, Terry	
MERRIMACK				
Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Moffett, Howard Saunderson, George Wheeler, Deborah	Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Myler, Mel Schuett, Dianne	French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Patten, Dick Shurtleff, Stephen	Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Rogers, Katherine Wallner, Mary Jane	
	ROCK	INGHAM		
Abrami, Patrick Borden, David Chirichiello, Brian DiFranco, Debbie Rice, Frederick Ward, Gerald Hoelzel, Kathleen Kolodziej, Walter Manning, John Milz, David Peckham, Michele Tilton, Rio Tucker, Pamela Baber, William Burton, Wayne Gray, James	Abramson, Max Cahill, Michael Cushing, Robert Doucette, Fred Fesh, Robert Guthrie, Joseph Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Potucek, John Sherman, Thomas Webb, James	Azarian, Gary Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Edgar, Michael Francese, Paula Hagan, Joseph Ward, Joanne Griffin, Mary McBeath, Rebecca O'Connor, John Prudhomme-O'Brien, Katherine Simpson, Alexis Welch, David FFORD Bickford, David Cilley, Jacalyn Horrigan, Timothy	Berrien, Skip Cardon, G. Thomas Devine, James Elliott, Robert Friel, William Heffron, Frank Katsakiores, Phyllis Major, Norman McMahon, Charles Packard, Sherman Belanger, Ronald Sytek, John Weyler, Kenneth Bixby, Peter Gardner, Janice Ward, Kenneth	
Smith, Marjorie	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas	
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet	
Onto and all Anna		LIVAN		
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Grenier, James Rollins, Skip	Converse, Larry Irwin, Virginia Smith, Steven	Gagnon, Raymond O'Hearne, Andrew	
	NAY	S - 109		
	BEL	KNAP		
Aldrich, Glen LeBreche, Shari Vadney, Herbert	Tilton, Franklin Spanos, Peter	Howard, Raymond Sylvia, Michael	Hurt, George Fraser, Valerie	
	CAR	ROLL		
Avellani, Lino McCarthy, Frank	Buco, Thomas	Comeau, Ed	Cordelli, Glenn	
McConnell, James		SHIRE		
Rideout, Leon	Co	OOS		
	_	FTON		
Bailey, Brad Gionet Edmond	Brown, Duane Hull Robert	Darrow, Stephen	Johnson, Eric	

Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Bouldin, Amanda Edelblut, Frank Gould, Linda Christiansen, Lars Martel, Andre Murphy, Keith Ober, Russell Souza, Kathleen	Ammon, Keith Burt, John Estevez, Eric Halstead, Carolyn Ober, Lynne McClarren, Donald Notter, Jeanine Sanborn, Laurie Stepanek, Stephen	Griffin, Barbara Coffey, James Ferreira, Elizabeth Hansen, Peter Lachance, Joseph McLean, Mark Ohm, Bill Seidel, Carl Twombly, Timothy	Boehm, Ralph Eastman, Eric Fromuth, Bart Hogan, Edith Marston, Dick Moore, Josh Christie, Rick Simmons, Tammy Ulery, Jordan
Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	O'Brien, William	Zaricki, Nick	

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Thomas, Douglas	Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Kappler, Lawrence	Lundgren, David	McKinney, Betsy	Osborne, Jason
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael	Woitkun, Steven		

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Leeman, Don
Mullen, John	Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the committee report was adopted and referred to the Committee on Finance.

SB 409-FN, relative to the first responder's critical injury benefit. OUGHT TO PASS WITH AMENDMENT.

Rep. William Infantine for Labor, Industrial and Rehabilitative Services. This bill amends a prior law enacted in 2014 (SB 204, Chapter 242) that created a temporary workers' compensation-type benefit program for first responders injured in the line of duty. The law was temporary to give the legislature time to review this benefit for all workers and not just first responders. The bill that came from the Senate made this temporary benefit permanent even though a thorough study making this benefit for all workers was not completed. The committee amended the bill to continue the benefit for one additional year through June of 2017 and established a study committee made up of three House members and one Senator. Vote 15-1.

Amendment (1330h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

- 1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:
- II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] 2017. Benefits paid under this section for all claimants shall not exceed \$500,000.
 - 2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:
 - I. Paragraph I of section 2 of this act shall take effect June 30, [2016] 2017.

- 3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Established.
- I. There is established a committee to study soft tissue injuries for purposes of workers' compensation.
 - (a) The members of the committee shall be as follows:
 - (1) One member of the senate, appointed by the president of the senate.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - II. The committee shall study soft tissue injuries for purposes of workers' compensation.
- III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.
- IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.
 - 4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation. Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 480-FN-A, relative to the state house visitor's center revolving fund. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Legislative Administration. Currently, all funds from the special markups on the sale of commemorative bottles are deposited in the Historical Fund for the sole purpose of restoring the Civil War battle flags. Because some important preservation measures such as work on the display cases or preventing ultraviolet light from the windows are not done to the flags themselves, the bill, as amended, broadens the permitted use of markup revenue to allow for the preservation of the Hall of Flags and the battle flags on display there. Secondly, the bill abolishes three special accounts; the Bicentennial Diorama Account, the Historic Flag Restoration Account, and the Flag Restoration and Care Account and consolidates the sums contained in those accounts, along with the remaining sum in the already repealed Civil War Memorials Fund, in the Historical Fund. Finally, the bill as amended provides that sums over \$50,000 in the State House Visitor's Center Revolving Fund on June 30th of any fiscal year shall be deposited in the Historical Fund, instead of the General Fund. Vote 8-0.

Amendment (1350h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the historical fund.

Amend the bill by replacing all after the enacting clause with the following:

1 State House Visitor's Center Revolving Fund. Amend RSA 17-E:7 to read as follows:

17-E:7 State House Visitor's Center Revolving Fund. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the state house visitor's center revolving fund which shall be kept separate and distinct from all other funds. The state house visitor's center revolving fund shall be within the oversight of the joint legislative facilities committee established in RSA 17-E:1. Moneys received from the sale of merchandise at the state house visitor's center, including online sales, shall be deposited in such fund and used to purchase merchandise for the visitor's center. The amount in the fund shall not exceed \$50,000 on June 30 of any fiscal year and any moneys in excess of said amount shall be deposited in the [general fund as unrestricted revenue] historical fund, established in RSA 177:8.

2 Historical Fund; Preservation of the State House Hall of Flags. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the

oversight of the joint legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the joint legislative historical committee in carrying out its responsibilities under RSA 17-I. The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of [Civil War battle flags displayed at the state house] the state house hall of flags and the battle flags displayed in the hall of flags.

- 3 Department of Administrative Services; Certain Special Legislative Accounts Abolished. The commissioner of administrative services shall abolish the following special accounts and transfer any balance remaining in the accounts as of June 30, 2016 to the historical fund, established in RSA 177:8:
 - I. The four bicentennial dioramas account (account organization code 1471).
 - II. The historic flag restoration account (account organization code 1479).
 - III. The flag restoration and care account (account organization code 1485).
- 4 Civil War Memorials Fund. On June 30, 2016, any balance remaining in the civil war memorials fund (account organization code 8875), established in RSA 21-K:22 and repealed December 31, 2010, by 2010, 368:1(38), shall be transferred to the historical fund, established in RSA 177:8.
 - 5 Effective Date. This act shall take effect June 30, 2016.

AMENDED ANALYSIS

This bill:

- I. Provides that funds over \$50,000 in the state house visitor's center revolving fund shall be deposited in the historical fund.
- II. Directs the joint legislative historical committee to use the funds from special markups on commemorative bottles for the preservation of the state house hall of flags and the battle flags displayed in the hall of flags.
- III. Directs the commissioner of administrative services to abolish the bicentennial dioramas account, the historic flag restoration account, and the flag restoration and care account.
- IV. Transfers any funds remaining in these accounts and in the civil war memorials fund on June 30, 2016 to the historical fund.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. OUGHT TO PASS.

Rep. Martin Jack for Public Works and Highways. This bill repurposes \$260,000 of the \$600,000 appropriated in HB 25 to purchase land for the Hampton Circuit Court. The funds are available since the land will cost substantially less than appropriated. Under the auspices of the department of environmental services, the bill proposes to use the funds to fill gaps in the state's ability to generate and analyze scientific data in the Great Bay and Hampton Harbor in order to better understand water quality trends and support local and state decision-making. There is a detailed plan for how the funds will be spent, including additional areas of the Great Bay; a pH sensor, and new surface sensors for existing stations, and other items. The location is one of 28 nationally significant sites in the federal estuaries program. Monitoring is done by a formally organized partnership involving UNH and about 200 other stakeholders. Among other issues, it is important to keep the clam and oyster habitats and the eelgrass population vibrant to preserve the estuaries. Because the estuaries are economically significant and can be fragile, and new EPA rules have recently taken effect, it is advisable to take this action outside the normal capital budget cycle. Because the bill repurposes an existing appropriation, there is no impact on total bonded indebtedness. Vote 8-7. Rep. Porter requested a roll call; sufficiently seconded.

YEAS 208 NAYS 136

YEAS - 208 BELKNAP

Fields, Dennis Flanders, Donald

CARROLL

Buco, Thomas Butler, Edward McCarthy, Frank McConkey, Mark Parker, Harold Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Bordenet, John Johnsen, Gladys Parkhurst, Henry Shepardson, Marjorie Ames, Richard Chase, Cynthia Hunt, John Pearson, William Weber, Lucy

Eaton, Daniel Roberts, Kris Robertson, Timothy

Tilton, Benjamin

Berch, Paul Emerson, Susan Mann, John Sad, Tara

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William Thomas, Yvonne Moynihan, Wayne

GRAFTON

Abel, Richard Ford, Susan Massimilla, Linda Smith, Suzanne Almy, Susan Higgins, Patricia Nordgren, Sharon Sykes, George Bennett, Travis Hennessey, Martha Piper, Wendy Townsend, Charles Cooney, Mary Maes, Kevin Brown, Rebecca White, Andrew

HILLSBOROUGH

Adams, Christopher Beaulieu, Jane Christensen, Chris Sullivan, Daniel Gargasz, Carolyn Gould, Linda Harvey, Suzanne Jack, Martin O'Brien, Michael McCarthy, Peggy Pierce, David Walsh, Robert Shattuck, Gilman Souza, Kathleen

Backus, Robert
Biggie, Barbara
Cohen, Alan
DiSilvestro, Linda
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Jeudy, Jean
Mangipudi, Latha
Palmer, Barry
Porter, Marjorie
Rosenwald, Cindy
Shaw, Barbara
Takesian, Charlene
Woodbury, David

Balcom, John Booras, Efstathia Cornell, Patricia Forest, Armand Goley, Jeffrey Haefner, Robert Herbert, Christopher Christiansen, Lars Manley, Jonathan Pellegrino, Anthony Proulx, Mark Rowe, Robert Snow, Kendall Vann, Ivy Baroody, Benjamin Bouldin, Amanda Cote, David Freitas, Mary Gorman, Mary Hansberry, Daniel Infantine, William Leishman, Peter Long, Patrick Peterson, Ken Christie, Rick Seidel, Carl Soucy, Timothy Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Moffett, Howard Saunderson, George Wheeler, Deborah

Wolf, Terry

Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Myler, Mel Schuett, Dianne French, Barbara Carson, Clyde Henle, Paul Karrick, David Luneau, David Patten, Dick Shurtleff, Stephen Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick Berrien, Skip Cardon, G. Thomas Doucette, Fred Rice, Frederick Friel, William Heffron, Frank Manning, John Peckham, Michele Sherman, Thomas Woitkun, Steven

Abramson, Max
Borden, David
Cushing, Robert
Edgar, Michael
Ferrante, Beverly
Ward, Gerald
Ward, Joanne
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Simpson, Alexis

Azarian, Gary Cahill, Michael Devine, James Elliott, Robert Fesh, Robert Guthrie, Joseph Lovejoy, Patricia McKinney, Betsy Tilton, Rio Tucker, Pamela Barnes, Arthur Cali-Pitts, Jacqueline DiFranco, Debbie Emerick, J. Tracy Francese, Paula Hagan, Joseph Griffin, Mary McMahon, Charles Schroadter, Adam Webb, James

Chirichiello, Brian

Gannon, William

	ST	RAFFORD	
Baber, William Burton, Wayne Horrigan, Timothy Mullen, John Spang, Judith Whitehouse, Joshua	Berube, Roger Cilley, Jacalyn Ward, Kenneth Schmidt, Peter Sprague, Dale	Bickford, David Gardner, Janice Kaen, Naida Rollo, Deanna Treleaven, Susan	Bixby, Peter Gray, James Smith, Marjorie Southworth, Thomas Wall, Janet
	S	ULLIVAN	
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Grenier, James	Converse, Larry Irwin, Virginia	Gagnon, Raymond O'Hearne, Andrew
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	I	BELKNAP	
Aldrich, Glen Howard, Raymond Sylvia, Michael	Dumais, Russell Hurt, George Fraser, Valerie	Tilton, Franklin LeBreche, Shari Vadney, Herbert	Gallagher, Brian Spanos, Peter
	(CARROLL	
Avellani, Lino Crawford, Karel	Chandler, Gene Nelson, Bill	Comeau, Ed Schmidt, Stephen	Cordelli, Glenn
		CHESHIRE	
McConnell James	Sterling, Franklin	HESHIKE	
McConnell, James	Stelling, Flanklin		
		COOS	
Rideout, Leon	Tholl, John		
	(GRAFTON	
Bailey, Brad Johnson, Eric Shackett, Jeffrey	Brown, Duane Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ladd, Rick
	HIL	LSBOROUGH	
Ammon, Keith Burt, John Eastman, Eric Flanagan, Jack Halstead, Carolyn Hopper, Gary Ober, Lynne McLean, Mark Notter, Jeanine Sanborn, Laurie Twombly, Timothy Zaricki, Nick Brewster, Michael	Griffin, Barbara Byron, Frank Edelblut, Frank Fromuth, Bart Hansen, Peter Belanger, James LeBrun, Donald Moore, Josh Ohm, Bill Simmons, Tammy Ulery, Jordan MCGuire, Carol	Barry, Richard Coffey, James Estevez, Eric Smith, Gregory Hinch, Richard Rice, Kimberly Marston, Dick Murotake, David Ober, Russell Stepanek, Stephen Sullivan, Victoria ERRIMACK Long, Douglas	Boehm, Ralph Danielson, David Ferreira, Elizabeth Gagne, Larry Hogan, Edith Kurk, Neal McClarren, Donald Murphy, Keith Rouillard, Claire Straight, Phillip O'Brien, William McGuire, Dan
French, Harold	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Parent, Jason	Seaworth, Brian
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	Ro		01::::: " D:

Allen, Mary

Thomas, Douglas

Baldasaro, Alfred

Dean-Bailey, Yvonne

Bates, David

Duarte, Joe

Green, Dennis
Sweeney, Joe
Lundgren, David
Nigrello, Robert
Potucek, John
Sytek, John
Weyler, Kenneth

Harris, Jeffrey Kappler, Lawrence Major, Norman O'Connor, John Belanger, Ronald True, Chris

Katsakiores, Phyllis Matthews, Carolyn Osborne, Jason Gordon, Richard Vose, Michael

Hodgdon, Bruce

Hoelzel, Kathleen Kolodziej, Walter Milz, David Packard, Sherman Spillane, James Welch, David

STRAFFORD

Beaudoin, Steven Hannon, Joseph Turcotte, Leonard Cheney, Catherine Jones, Laura Leeman, Don DeLemus, Susan Kaczynski, Thomas Pitre, Joseph

Groen, Warren Knowles, Robert Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Finance.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. OUGHT TO PASS WITH AMENDMENT.

Rep. John Mullen for Resources, Recreation and Development. This bill was brought forth from a study committee to provide needed revenue to help maintain OHRV trails in NH. Currently snowmobilers, both club members and non-members, pay at registration a trail maintenance fee of \$30 which is payable to the Department of Resources and Economic Development, Bureau of Trails for the bureau's grant-in-aid program which provides for trail improvement and maintenance. Having good trails is an economic benefit to all of New Hampshire. This bill parallels the snowmobile statute and applies it to OHRV trail users who up until now have had little support for trail maintenance, repair, and construction. The new \$30 user fee attached to the registration fee is the same as is currently applied to snowmobile registrations. These OHRV funds will be administered the same way as with snowmobiles and the Bureau of Trails. Additionally, the bill instructs the Department of Fish and Game, Bureau of Trails, and the NH Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. Vote 17-2.

Amendment (1333h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

Amend the bill by replacing all after section 3 with the following:

- 4 Fish and Game Department; Report on Registration Alternatives. The executive director of the fish and game department shall work in conjunction with the New Hampshire Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. The executive director shall report any findings or recommendations resulting from the study to the president of the senate and the speaker of the house of representatives on or before December 1, 2017.
 - 5 Effective Date.
 - I. Section 4 of this act shall take effect upon its passage.
 - II. The remainder of this act shall take effect May 1, 2018.

AMENDED ANALYSIS

This bill establishes an OHRV registration fee for persons who are members of an OHRV club which is reduced \$30 from the increased fee paid by other registrants. The bill also requires the executive director of the fish and game department to report on registration alternatives for OHRV users who do not use organized trail systems.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 262 NAYS 83

YEAS - 262 BELKNAP

Flanders, Donald Gallagher, Brian Dumais, Russell Tilton, Franklin Fraser, Valerie CARROLL Butler, Edward Chandler, Gene Cordelli, Glenn Buco. Thomas Parker, Harold Crawford, Karel McConkey, Mark Nelson, Bill Ticehurst, Susan Schmidt, Stephen Umberger, Karen **CHESHIRE** Tilton, Benjamin Berch, Paul Abbott, Michael Ames, Richard Bordenet, John Chase, Cynthia Eaton, Daniel Emerson, Susan Hunt, John Roberts, Kris Mann, John Johnsen, Gladys Robertson, Timothy McConnell, James Parkhurst, Henry Pearson, William Sad. Tara Shepardson, Marjorie Sterling, Franklin Weber, Lucy COOS Hatch, William Movnihan, Wavne Fothergill, John Froburg, Alethea Richardson, Herbert Rideout, Leon Theberge, Robert Tholi, John GRAFTON Abel, Richard Almy, Susan Bailey, Brad Bennett, Travis Cooney, Mary Brown, Duane Darrow, Stephen Hennessey, Erin Gionet, Edmond Ford, Susan Higgins, Patricia Ladd, Rick Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Brown, Rebecca Shackett, Jeffrey Smith, Suzanne Sykes, George Townsend, Charles White, Andrew HILLSBOROUGH

Adams, Christopher Griffin, Barbara Baroody, Benjamin Barry, Richard Boehm, Ralph Booras, Efstathia Cohen, Alan Cornell, Patricia Danielson, David DiSilvestro, Linda Forest, Armand Freitas, Mary Gargasz, Carolyn Gidge, Kenneth Gould, Linda Guerette, C. Lee Hansen, Peter Harvey, Suzanne Hinch, Richard Hopper, Gary Jeudy, Jean Kurk, Neal LeBrun, Donald Leishman, Peter McCarthy, Peggy Long, Patrick Peterson, Ken Pierce. David Walsh, Robert Rosenwald, Cindy Seidel, Carl Shattuck, Gilman Straight, Phillip Soucy, Timothy Williams, Kermit Wolf, Terry

Backus, Robert Beaulieu, Jane Christensen, Chris Cote. David Eastman, Eric Smith, Gregory Goley, Jeffrey Haefner, Robert Heath, Mary Belanger, James Christiansen, Lars O'Brien, Michael Palmer, Barry Porter, Mariorie Rouillard, Claire Shaw, Barbara Takesian, Charlene Woodbury, David

Balcom, John Biggie, Barbara Coffey, James Sullivan, Daniel Flanagan, Jack Gagne, Larry Gorman, Mary Hansberry, Daniel Herbert, Christopher Jack, Martin Ober, Lynne Mangipudi, Latha Pellegrino, Anthony Prouix. Mark Rowe, Robert Snow, Kendall Vann, Ivv

MERRIMACK

Alicea, Caroletta Brewster, Michael Long, Douglas Henle, Paul Karrick, David French, Barbara McGuire, Carol Doherty, David Hirsch, Geoffrey Kenison, Linda Bartlett, Christy Rice, Chip Ebel, Karen Horn, Werner Kidder, David

Bradley, Paula Carson, Clyde Gile, Mary Frazer, June Kotowski, Frank Kuch, Bill Moffett, Howard Rogers, Katherine Wallner, Mary Jane Luneau, David Myler, Mel Saunderson, George Wheeler, Deborah MacKay, James Parent, Jason Schuett, Dianne Martin, John Patten, Dick Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Dean-Bailey, Yvonne
Edgar, Michael
Ferrante, Beverly
Guthrie, Joseph
Hoelzel, Kathleen
Lovejoy, Patricia
Manning, John
McMahon, Charles
Packard, Sherman
Belanger, Ronald
Simpson, Alexis

Allen, Mary Borden, David Chirichiello, Brian Devine, James Elliott, Robert Francese, Paula Hagan, Joseph Ward, Joanne Lundgren, David Matthews, Carolyn Milz, David Peckham, Michele Tilton, Rio Sytek, John Woitkun, Steven Azarian, Gary
Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Heffron, Frank
Katsakiores, Phyllis
Griffin, Mary
McBeath, Rebecca
Nigrello, Robert
Potucek, John
Schroadter, Adam
Webb, James

Barnes, Arthur
Cali-Pitts, Jacqueline
Thomas, Douglas
Doucette, Fred
Rice, Frederick
Ward, Gerald
Hodgdon, Bruce
Kolodziej, Walter
Major, Norman
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Welch, David

STRAFFORD

Baber, William Burton, Wayne Hannon, Joseph Smith, Marjorie Southworth, Thomas Wall, Janet

Weyler, Kenneth

Berube, Roger Cilley, Jacalyn Horrigan, Timothy Mullen, John Spang, Judith Wuelper, Kurt Bickford, David Gardner, Janice Ward, Kenneth Schmidt, Peter Sprague, Dale

Bixby, Peter Gray, James Kaen, Naida Rollo, Deanna Treleaven, Susan

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Rollins, Skip Cloutier, John Grenier, James Smith, Steven Converse, Larry O'Hearne, Andrew Gagnon, Raymond Oxenham, Lee

NAYS - 83 BELKNAP

Aldrich, Glen LeBreche, Shari Fields, Dennis Spanos, Peter Howard, Raymond Sylvia, Michael Hurt, George Vadney, Herbert

CARROLL

Avellani, Lino Comeau, Ed

McCarthy, Frank

COOS

Thomas, Yvonne

GRAFTON

Johnson, Eric Hull, Robert

HILLSBOROUGH

Ammon, Keith Edelblut, Frank Halstead, Carolyn Lachance, Joseph McLean, Mark Notter, Jeanine Sanborn, Laurie Twombly, Timothy Zaricki, Nick Bouldin, Amanda Estevez, Eric Hogan, Edith Manley, Jonathan Moore, Josh Ohm, Bill Simmons, Tammy Ulery, Jordan BOROUGH
Burt, John
Ferreira, Elizabeth
Infantine, William
Marston, Dick
Murotake, David
Christie, Rick
Souza, Kathleen
Sullivan, Victoria

Byron, Frank Fromuth, Bart Rice, Kimberly McClarren, Donald Murphy, Keith Ober, Russell Stepanek, Stephen O'Brien, William

MERRIMACK

Turcotte, Alan McGuire, Dan French, Harold Hill, Gregory Hoell, J.R. Marple, Richard Seaworth, Brian

ROCKINGHAM

Baldasaro, Alfred Bates, David Duarte, Joe Abramson, Max Fesh, Robert Gannon, William Green. Dennis Harris, Jeffrey Gordon, Richard Kappler, Lawrence Osborne, Jason Sweeney, Joe Spillane, James True. Chris Tucker, Pamela Vose, Michael

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Groen, Warren Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard Leeman, Don Pitre, Joseph Whitehouse, Joshua

SULLIVAN

Irwin, Virginia Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

SB 492-FN, relative to expenditures from the energy efficiency fund. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill creates close to \$40 million in new energy savings each year. The bill directs the business allocation from the Energy Efficiency Fund to go to rebates for business, thereby driving down electrical costs for our businesses, especially those large energy users. It directs the residential allocation from the Energy Efficiency Fund to support high demand, cost effective energy efficiency programs, all of which are privately managed, award winning statewide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. Unlike previous proposals, this bill increases money going to low-income weatherization from the current 15% to 35%. This will service over 400 additional low-income renters and homeowners across the state and will cut their household energy bills by up to 30%, allowing them to afford other basic necessities, avoid springtime evictions and foreclosures, and reduce reliance on local welfare. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be chipped away at. Hundreds more middle income residential customers falling above the qualification for the low-income program will also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. Finally, our manufacturing sector on the LG electric rate (greater than 1,000-kilowatt demand) will receive an average reduction of \$200 per month. The minority argues we should socialize the residential allocation and give an average of between \$1.30 and \$1.70 per month to every residential customer from the Energy Efficiency Fund, rather than supporting high quality energy efficiency for hundreds of residential households, municipalities, and school districts across the state that are clearly struggling to get their energy bills under control. The majority believes it is a much better return on investment to support hundreds of jobs, provide property tax relief, create about \$40 million in new energy savings each year, and drastically reduce energy and grid demands that drive down prices for all ratepayers. This bill is supported by a wide array of stakeholders, including the Business and Industry Association, the Office of Consumer Advocate (which represents residential ratepayers), NH Legal Assistance which represents low-income residential ratepayers, the NH Municipal Association, and Community Action Programs which provide services to low-income clients across our state. Vote 12-5.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill provides language that duplicates an amendment that the Senate applied to HB 208 last year. It eliminates the ratepayer rebate of \$10 million of Regional Greenhouse Gas Initiative (RGGI) auction proceeds. Instead, it spends those funds to expand energy efficiency projects for low-income residents and local government buildings. This income redistribution will cost the average NH ratepayer \$1.70 per month or \$20 per year. It discourages civic responsibility by allowing towns and school districts

to postpone energy efficiency projects while waiting and hoping for a state grant. It redistributes ratepayer monies to a narrow group of favored recipients. It requires seniors struggling to pay for food and medicine to pay higher electricity costs to support energy efficiency projects for others. The bill rebates funds to commercial/industrial customers at the expense of residential customers. Two local government representatives who testified said that energy efficiency projects in their towns did not lower the local tax rate.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Vose spoke against and yielded to questions.

Rep. Mann spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Carol McGuire moved that SB 492-FN, relative to expenditures from the energy efficiency fund, be laid on the table.

Rep. Baber requested a roll call; sufficiently seconded.

YEAS 189 NAYS 155

YEAS - 189

Fields, Dennis Hurt, George Fraser, Valerie

		BELKNAP
Aldrich, Glen	Dumais, Russell	Tilton, Franklin

Flanders, Donald	Gallagher, Brian	Howard, Raymond
LeBreche, Shari	Spanos, Peter	Sylvia, Michael
Vadney, Herbert		

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	

CHESHIRE Emerson, Susan Hunt John Roberts Kris

Emerson, Susan	Hunt, John	Roberts, Kris	McConnell, James
Sterling, Franklin			

		COC
Rideout, Leon	Tholl, John	

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Coffey, James	Danielson, David
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Smith, Gregory	Gagne, Larry
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Belanger, James
Rice, Kimberly	Kurk, Neal	Christiansen, Lars	Ober, Lynne
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Christie, Rick	Ober, Russell	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	O'Brien, William	Wolf, Terry
Zaricki, Nick			

MERRIMACK

	MERI	RIMACK	
Turcotte, Alan	Brewster, Michael	McGuire, Carol	Long, Douglas
McGuire, Dan	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	Parent, Jason	Seaworth, Brian	Wheeler, Deborah
	ROCK	INGHAM	
Abramson, Max	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Chirichiello, Brian
Thomas, Douglas	Dean-Bailey, Yvonne	Devine, James	Doucette, Fred
Duarte, Joe	Emerick, J. Tracy	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Green, Dennis
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Sweeney, Joe	Ward, Joanne	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Griffin, Mary
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
Milz, David	Nigrello, Robert	O'Connor, John	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Belanger, Ronald	Gordon, Richard
Tilton, Rio	Spillane, James	Sytek, John	True, Chris
Tucker, Pamela	Vose, Michael Woitkun, Steven	Webb, James	Welch, David
Weyler, Kenneth	,		
Describete Obsesses	·-	AFFORD	Oilless Janahur
Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
DeLemus, Susan	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard Whitehouse, Joshua
Leeman, Don Wuelper, Kurt	Mullen, John	Pitre, Joseph	whitehouse, Joshua
wasiper, Nurt	SUL	LIVAN	
Laware, Thomas	Rollins, Skip		
	NAY	'S - 155	
	CAF	RROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Parker, Harold	Ticehurst, Susan	•
	СНЕ	SHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	,
	C	oos	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	,
	GRA	AFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Brown, Rebecca	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew	TITE T OF	ODOLICH	
Backus Doba+		BOROUGH	Pagrag Cintathia
Backus, Robert Cohen, Alan	Baroody, Benjamin Cornell, Patricia	Beaulieu, Jane Cote, David	Booras, Efstathia Sullivan, Daniel
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Gargasz, Carolyn
Dionyostro, Linua	i orost, Armanu	i ionas, mary	Gargasz, Gardiyil

Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hopper, Gary
Infantine, William	Jack, Martin	Jeudy, Jean	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Vann, Ivy
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Horn, Werner	Frazer, June	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane		

ROCKINGHAM

Abrami, Patrick	Berrien, Skip	Borden, David	Cahill, Michael
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Elliott, Robert	Francese, Paula	Ward, Gerald	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	McMahon, Charles	Packard, Sherman
Peckham, Michele	Sherman, Thomas	Simpson, Alexis	

STRAFFORD

Baber, William Gardner, Janice	Berube, Roger Horrigan, Timothy	Bixby, Peter Ward, Kenneth	Burton, Wayne Kaen, Naida
Smith, Marjorie	Schmidt, Peter	Rollo, Deanna	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Smith, Steven		

and the motion was adopted.

Rep. Murotake declared a conflict of interest and did not participate.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 210-FN**, relative to regulation of septic system evaluators. The Speaker referred **SB 210-FN** to the Committee on Ways and Means.

REGULAR CALENDAR PART I CONT'D

SB 510-FN, relative to parking at state park parking meters. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Thomas Walsh for the Majority of Transportation. This bill adds a set of restrictions from existing law regarding free parking by state park motor vehicle plate holders. The intent is to end the practice of these plate holders occupying prime parking during peak and weekend times with no limitations or fees, thus allowing more parking for all. A new paragraph does allow the commissioner to assess an increased rate during peak times, however the Fiscal Committee of the General Court can deny such a plan. Vote 14-3.

Rep. Chris True for the Minority of Transportation. The minority feels giving authority to the Commissioner of the Department of Resources and Economic Development to raise rates on weekends and holidays, with approval of the Fiscal Committee, unfairly hits the working man in the wallet. Many working people can only go to the beach on weekends and holidays, and those days may be subject to higher parking fees.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Steven Smith spoke in favor.
Rep. True spoke against and requested a roll call; sufficiently seconded.

YEAS 246 NAYS 99

YEAS - 246

	В	ELKNAP	
Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	Fraser, Valerie	Vadney, Herbert
	C	ARROLL	
Butler, Edward	Chandler, Gene	Comeau, Ed	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	·		•
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Hunt, John	Roberts, Kris	Mann, John	Parkhurst, Henry
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Weber, Lucy		
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	
	G	RAFTON	
Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Brown, Duane	Darrow, Stephen	Hennessey, Erin	Ford, Susan
Gionet, Edmond	Higgins, Patricia	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			
	HILI	SBOROUGH	
Ammon, Keith	Griffin, Barbara	Backus, Robert	Balcom, John
Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	Biggie, Barbara
Booras, Efstathia	Byron, Frank	Christensen, Chris	Coffey, James
Cohen, Alan	Cornell, Patricia	Sullivan, Daniel	DiSilvestro, Linda
Edelblut, Frank	Estevez, Eric	Flanagan, Jack	Forest, Armand
Freitas, Mary	Fromuth, Bart	Gagne, Larry	Gidge, Kenneth
Goley, Jeffrey	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Jeudy, Jean	Kurk, Neal	Christiansen, Lars
Ober, Lynne	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
Marston, Dick	Martel, Andre Murotake, David	McClarren, Donald Ohm, Bill	McLean, Mark Long, Patrick
Moore, Josh McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Ober, Russell	Walsh, Robert
Rosenwald, Cindy	Rowe, Robert	Seidel, Carl	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Takesian, Charlene	Sullivan, Victoria
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick
	ME	ERRIMACK	

Bradley, Paula

Long, Douglas

French, Harold

McGuire, Carol

Doherty, David

Henle, Paul

French, Barbara

Rice, Chip

Ebel, Karen

Bartlett, Christy

Carson, Clyde

Gile, Mary

Rice, Kimberly

Murphy, Keith

Lachance, Joseph

Notter, Jeanine

LeBrun, Donald

Proulx, Mark

O'Brien, Michael

Christie, Rick

		, -	
Hess, David	Hill, Gregory	Hirsch, Geoffrey	Horn, Werner
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Luneau, David	MacKay, James	Martin, John	Moffett, Howard
Parent, Jason	Patten, Dick	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	
	RO	CKINGHAM	
Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chirichiello, Brian	Cushing, Robert	Thomas, Douglas	Devine, James
DiFranco, Debbie	Doucette, Fred	Duarte, Joe	Edgar, Michael
Elliott, Robert	Emerick, J. Tracy	Rice, Frederick	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Ward, Gerald
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Sweeney, Joe
Ward, Joanne	Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McKinney, Betsy	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Peckham, Michele	Potucek, John	Belanger, Ronald
Tilton, Rio	Schroadter, Adam	Sherman, Thomas	Simpson, Alexis
Sytek, John	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven			
		'RAFFORD	
Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Cheney, Catherine	Cilley, Jacalyn	Gardner, Janice	Gray, James
Ward, Kenneth	Kaen, Naida	Turcotte, Leonard	Smith, Marjorie
Mullen, John	Schmidt, Peter	Pitre, Joseph	Southworth, Thomas
Spang, Judith	Sprague, Dale	Treleaven, Susan	Wall, Janet
	S	ULLIVAN	
Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Laware, Thomas
Oxenham, Lee	Rollins, Skip	Smith, Steven	•
	N	NAYS - 99	
		BELKNAP	
Aldrich, Glen	Howard, Raymond	LeBreche, Shari	Spanos, Peter
Sylvia, Michael			
	C	ARROLL	
Avellani, Lino	Buco, Thomas	Cordelli, Glenn	McCarthy, Frank
Ticehurst, Susan	Duco, montas	Oordeni, Gierin	wooditily, I falls
riconardi, Gadair	C	HESHIRE	
Tilton, Benjamin	McConnell, James	HESHIKE	
rittori, berijariliri	wiccomien, dames	coos	
Rideout, Leon	Theberge, Robert	Coos	
riidedat, Leon	=	RAFTON	
Bailey, Brad	Johnson, Eric	Hull, Robert	Massimilla, Linda
Daney, Didd		•	massimia, Lina
		SBOROUGH	
Adams, Christopher	Boehm, Ralph	Burt, John	Cote, David
Danielson, David	Eastman, Eric	Ferreira, Elizabeth	Smith, Gregory
Gorman, Mary	Gould, Linda	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Infantine, William	Belanger, James
Dica Kimbarly	Lachanaa lacanh	LoPrus Donold	O'Prion Michael

Kaczynski, Thomas

Whitehouse, Joshua

Rouillard, Claire Souza, Kathleen Ulery, Jordan	Sanborn, Laurie Stepanek, Stephen Vann, Ivy	Simmons, Tammy Straight, Phillip O'Brien, William	Snow, Kendall Twombly, Timothy
	MI	ERRIMACK	
Turcotte, Alan Hoell, J.R. Myler, Mel	Alicea, Caroletta Frazer, June Seaworth, Brian	Brewster, Michael Kuch, Bill Wheeler, Deborah	McGuire, Dan Marple, Richard
	RO	CKINGHAM	
Abramson, Max Dean-Bailey, Yvonne Harris, Jeffrey McBeath, Rebecca Gordon, Richard Vose, Michael	Baldasaro, Alfred Gannon, William Hodgdon, Bruce McMahon, Charles Spillane, James	Bates, David Green, Dennis Kappler, Lawrence Osborne, Jason True, Chris	Cahill, Michael Guthrie, Joseph Lundgren, David Prudhomme-O'Brien, Katherine Tucker, Pamela
	ST	RAFFORD	
Beaudoin, Steven Hannon, Joseph	Burton, Wayne Horrigan, Timothy	DeLemus, Susan Jones, Laura	Groen, Warren Kaczynski, Thomas

SULLIVAN

Jones, Laura

Rollo, Deanna

O'Hearne, Andrew

Knowles, Robert

Wuelper, Kurt

and the majority committee report was adopted and referred to the Committee on Ways and Means.

SB 444-FN, relative to lottery retailer incentive awards. OUGHT TO PASS.

Rep. Bill Ohm for Ways and Means. The advent of large lottery jackpots has caused neighboring states to increase their seller incentives to promote sales. Awards of \$75,000 to \$100,000 for selling a winning ticket are now commonplace. New Hampshire currently caps the incentive at \$30,000. This bill would increase the cap to \$75,000 for an event likely to occur no more than once every year or two. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

Leeman, Don

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Amendment printed SJ 4/14/16)

Rep. Steven Smith moved that the House concur and spoke in favor. Motion adopted.

REGULAR CALENDAR - PART II

SB 509-FN, relative to voter registration forms and relative to voter identity verification. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James Gray for the Majority of Election Law. This bill incorporates changes to the Voter Registration form including the removal of existing wording requiring compliance with motor vehicle laws. The second section of this bill, as amended, changes the procedure for investigating voters who did not confirm their status after being sent a letter of identity verification. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. As justification for this change to the law it was reported that, over the course of several elections, a "large" number of voter identification letters have accumulated in the office of the NH Secretary of State. Under the current law, it is the duty of the Attorney General's (AG's) Office to investigate these returned letters, and determine whether any voter fraud has occurred. The AG's Office states that it does not have the available staff or budget to enable the process of investigation to be completed. This bill proposes to expand the power of investigation from the AG's Office to the Secretary of State and to town clerks and checklist supervisors. It would become the duty of the town clerks and checklist supervisors to undertake the time and effort to scrutinize the letters and investigate the circumstances, and then compile a "list" of "not...legal voters." The bill's fiscal note states that it would require additional staff time at the local level and could result in increased local expenditures. Even with this downshifting of investigation expenses to the local towns and cities, the Department of Justice further anticipates that some "temporary full-time" investigators and paralegals would be needed to implement the bill, at a cost to the department of at least \$167,000.00 per year. Over the years, the department's regular reports with respect the investigation of verifying letter has rarely if ever exposed any voter fraud. This bill downshifts unnecessary and burdensome state expenses onto cities and towns. It is opposed by the New Hampshire City and Town Clerks' Association. It creates expenses and personnel requirement upon the Department of Justice with no appropriations therefore, and no explanation as to the source of funding for the cities and towns.

Majority Amendment (1317h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from city and town clerks and supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general for investigation.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (1478h).

Floor Amendment (1478h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from the supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general who shall cause an investigation to be made to determine whether fraudulent voting occurred.

Rep. Ohm spoke in favor.

Rep. Moynihan spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 173 NAYS 125

YEAS - 173 BELKNAP

		DELLES TALL	
Tilton, Franklin Howard, Raymond Fraser, Valerie	Fields, Dennis Hurt, George Vadney, Herbert	Flanders, Donald LeBreche, Shari	Gallagher, Brian Spanos, Peter
		CARROLL	
Avellani, Lino McCarthy, Frank	Chandler, Gene McConkey, Mark	Comeau, Ed Nelson, Bill	Cordelli, Glenn Schmidt, Stephen
		CHESHIRE	
Emerson, Susan	Hunt, John	McConnell, James	Sterling, Franklin
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
		GRAFTON	
Bailey, Brad Johnson, Eric	Brown, Duane Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ladd, Rick

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Christensen, Chris Edelblut, Frank Smith, Gregory Haefner, Robert Hopper, Gary LeBrun, Donald Murotake, David Palmer, Barry Rouillard, Claire Simmons, Tammy Ulery, Jordan

Ammon, Keith Boehm, Ralph Coffey, James Estevez, Eric Gagne, Larry Halstead, Carolyn Rice, Kimberly McClarren, Donald Murphy, Keith Peterson, Ken Rowe, Robert Straight, Phillip Sullivan, Victoria

Burt, John Danielson, David Ferreira, Elizabeth Gargasz, Carolyn Hansen, Peter Kurk, Neal McLean, Mark Notter, Jeanine Proulx, Mark Sanborn, Laurie Takesian, Charlene Zaricki, Nick

Griffin, Barbara

Balcom, John Byron, Frank Eastman, Eric Fromuth, Bart Gould, Linda Hinch, Richard Christiansen, Lars Moore, Josh Ohm, Bill Christie. Rick Seidel, Carl Twombly, Timothy

MERRIMACK

Brewster, Michael Hill, Gregory Kuch, Bill Seaworth, Brian

McGuire, Carol Hoell, J.R. Marple, Richard Long, Douglas Horn, Werner Martin, John

McGuire, Dan Kotowski, Frank Parent, Jason

ROCKINGHAM

Abrami, Patrick Baldasaro, Alfred Chirichiello, Brian Doucette, Fred Rice, Frederick Green, Dennis Hodgdon, Bruce Kappler, Lawrence Major, Norman Milz, David Packard, Sherman Gordon, Richard Sytek, John Webb, James

Abramson, Max Barnes, Arthur Thomas, Douglas Duarte, Joe Fesh, Robert Guthrie, Joseph Hoelzel, Kathleen Katsakiores, Phyllis Manning, John Nigrello, Robert Peckham, Michele Tilton, Rio True, Chris Welch, David

Allen, Marv Bates, David Dean-Bailey, Yvonne Elliott, Robert Friel, William Hagan, Joseph Sweeney, Joe Kolodziej, Walter Matthews, Carolyn O'Connor, John Potucek, John Schroadter, Adam Tucker, Pamela

Azarian, Gary Cardon, G. Thomas Devine, James Emerick, J. Tracv Gannon, William Harris, Jeffrey Ward, Joanne Griffin, Mary McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Spillane, James Vose, Michael

STRAFFORD

Beaudoin, Steven Grav. James Kaczynski, Thomas Mullen, John

Bickford, David Groen, Warren Knowles, Robert Pitre, Joseph

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua

Weyler, Kenneth

DeLemus, Susan Jones, Laura Leeman, Don Wuelper, Kurt

Woitkun, Steven

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip

Smith, Steven

NAYS - 125 CARROLL

Butler, Edward Crawford, Karel Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael Bordenet, John Roberts, Kris Robertson, Timothy Ames, Richard Chase, Cynthia Mann, John Sad, Tara

Tilton, Benjamin Eaton, Daniel Parkhurst, Henry Weber, Lucy

Berch, Paul Johnsen, Gladys Pearson, William

COOS

Fotheraill, John Theberge, Robert Froburg, Alethea

Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Cohen, Alan	Cote, David
Forest, Armand	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Herbert, Christopher	Hogan, Edith
Belanger, James	Jack, Martin	Jeudy, Jean	Leishman, Peter
Manley, Jonathan	Long, Patrick	Pellegrino, Anthony	Pierce, David
Porter, Marjorie	Walsh, Robert	Shattuck, Gilman	Shaw, Barbara
Vann, Ivy	Williams, Kermit	Woodbury, David	

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Gile, Mary
French, Harold	Henle, Paul	Hirsch, Geoffrey	Frazer, June
Karrick, David	Kenison, Linda	MacKay, James	Moffett, Howard
Patten, Dick	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Francese, Paula	Ward, Gerald
Heffron, Frank	McBeath, Rebecca	McKinney, Betsy	Belanger, Ronald
Sherman, Thomas	Simpson, Alexis		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida Sprague, Dale	Smith, Marjorie Wall, Janet	Rollo, Deanna	Southworth, Thomas

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	

and floor amendment (1478h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Gray spoke in favor.

Rep. Moynihan spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 194 NAYS 133

YEAS - 194

BELKNAP

Aldrich, Glen Gallagher, Brian Spanos, Peter	Tilton, Franklin Howard, Raymond Fraser, Valerie	Fields, Dennis Hurt, George Vadney, Herbert	Flanders, Donald LeBreche, Shari
		CARROLL	
Avellani Lino	Chandler Gene	Comeau Ed	Cordelli Glenn

Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill Schmidt, Stephen

	CHESHIKE		
Emerson, Susan Sterling, Franklin	Hunt, John	Roberts, Kris	McConnell, James

COOS

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ladd, Rick Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher Ammon, Keith Barry, Richard Biggie, Barbara Byron, Frank Christensen, Chris Eastman, Eric Edelblut, Frank Forest, Armand Fromuth, Bart Gargasz, Carolyn Gidge, Kenneth Halstead, Carolyn Hansen, Peter Hopper, Gary Belanger, James Christiansen, Lars Lachance, Joseph Moore, Josh McLean, Mark Notter, Jeanine Ohm, Bill Pellegrino, Anthony Peterson, Ken Ober, Russell Christie, Rick Sanborn, Laurie Scontsas, Lisa Souza, Kathleen Straight, Phillip Sullivan, Victoria Wolf, Terry

Griffin, Barbara Boehm, Ralph Coffey, James Estevez. Eric Smith, Gregory Gould, Linda Hinch, Richard Rice, Kimberly LeBrun, Donald Murotake, David McCarthy, Peggy Pierce, David Rouillard, Claire Seidel, Carl Twombly, Timothy Zaricki, Nick

Balcom, John
Burt, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Haefner, Robert
Hogan, Edith
Kurk, Neal
McClarren, Donald
Murphy, Keith
Palmer, Barry
Proulx, Mark
Rowe, Robert
Simmons, Tammy
Ulery, Jordan

MERRIMACK

Brewster, Michael French, Harold Horn, Werner Martin, John McGuire, Carol Hess, David Kotowski, Frank Parent, Jason

Long, Douglas Hill, Gregory Kuch, Bill Seaworth, Brian McGuire, Dan Hoell, J.R. Marple, Richard

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Rice, Frederick
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Griffin, Mary
McKinney, Betsy
O'Connor, John
Potucek, John
Tilton, Rio
True, Chris
Welch. David

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Elliott, Robert
Friel, William
Hagan, Joseph
Sweeney, Joe
Kolodziej, Walter
Manning, John
Milz, David
Packard, Sherman
Belanger, Ronald
Spillane, James
Vose, Michael
Woitkun, Steven

Azarian, Gary
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Ward, Joanne
Lundgren, David
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Gordon, Richard
Sytek, John
Webb, James

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Mullen, John Bickford, David Groen, Warren Knowles, Robert Pitre, Joseph Cheney, Catherine Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua

DeLemus, Susan Jones, Laura Leeman, Don Wuelper, Kurt

SULLIVAN

Grenier, James Rollins, Skip Smith, Steven

NAYS - 133 CARROLL

Butler, Edward Parker, Harold Ticeh	urst, Susan
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CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Mann, John	Parkhurst, Henry	Pearson, William	Robertson, Timothy
Sad. Tara	Shepardson, Mariorie	Weber Lucy	•

COOS

Froburg, Alethea	Hatch, William	Movnihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Cohen, Alan	Cornell, Patricia	Cote, David	Sullivan, Daniel
DiSilvestro, Linda	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeudy, Jean	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Takesian, Charlene	Vann, Ivy
Williams, Kermit	Woodbury, David		

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Frazer, June	Karrick, David
Kenison, Linda	MacKay, James	Moffett, Howard	Patten, Dick
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner Mary Jane	Wheeler Deborah		•

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Francese, Paula	Ward, Gerald
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Sherman, Thomas
Simpson, Alexis			

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Treleaven, Susan
Wall, Janet			

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee			

and the majority committee report was adopted and ordered to third reading.

REMARKS PRINTED

Without objection, the Speaker ordered the question by Rep. Marjorie Smith and the answer by the Speaker, be printed in the Permanent Journal.

REMARKS

Representative Marjorie Smith: Thank you, Mister Speaker. I do have a question for you and I offer this only knowing that I hold you in the highest regard. Whether this is an unfunded mandate or not since if there is a directive for the local officials to do something, they are going to have to do it. Since there are very clear costs that are mentioned in our official calendar, I wonder if you would send this bill to the Finance committee since we don't have enough work to do as it is. Speaker Jasper: Thank you and if you will give me one minute. While I just looked at the fiscal note and we have done that. I will say first of all that the bill does not mandate anything. It requests the cooperation and as we all know when we request someone to cooperate, that does not mean they will cooperate so this is a request. We are doing the exact same thing on the state level that we are doing. This is actually something that came about because there was verification by the city of Dover and they very quickly cleaned this up and cleared up many of the cases. We had 2,400 two years ago and the attorney general's office essentially threw up his arms and said I don't have the staff for this and that was a concern. So this is a way of clearing that up. The fiscal impact statement makes it clear that there will be no fiscal impact on state, county and local revenues or county expenditures. Because it's not a mandate on the towns and the cities, there is no fiscal impact on them unless they choose to cooperate, which they are not mandated to do, therefore there is nothing for the Finance committee to look at.

Representative Marjorie Smith: Thank you. Could I ask? I noticed that you said there would be no county expenditures. You did not say anything about local expenditures.

Speaker Jasper: That was the last part of my question. I said because this is not a mandate, if they choose to spend some time, and that's all it would be. If they choose to spend some time, that's up to them. So there is no impact.

Representative Marjorie Smith: So on the one hand, the legislature thinks this is very important and we should have the opportunity to resolve this problem by involving local officials, but on the other hand we don't care if they do it or not?

Speaker Jasper: Well, how long have you been around here?

Representative Marjorie Smith: Long enough to ask the question, Mister Speaker.

Speaker Jasper: I appreciate your question and the fact is this is something that occurs on a very infrequent basis and this is the choice that the legislature has made. By our vote here today, this is the choice we have made. You are certainly free to disagree with that, but that is where we are and there is no fiscal impact that requires this bill to move to Finance.

Representative Marjorie Smith: But, Mister Speaker, would it be appropriate to establish a written record of your decision that the locals would not be obliged to do this and that there would, therefore, be no mandated costs? Could we put that response in the Permanent Record?

Speaker Jasper: We will put this exchange in the Permanent Journal. My belief is that the bill itself makes that clear, but for your comfort, we will put our exchange in the Permanent Journal. Representative Marjorie Smith: Thank you very much, Mister Speaker.

REGULAR CALENDAR PART II CONT'D

SB 546-FN, relative to petitions for verification of checklists. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.

Rep. Duane Brown for the Majority of Election Law. The procedure for verification of checklists upon the petition of a required number of registered voters is currently working properly with the Ballot Law Commission conducting the investigation. This bill interjects the Secretary of State's office into what could be construed as a partisan political issue. Additionally, this bill puts the burden on the petitioners of providing "sufficient evidence" to even begin an investigation. Vote 10-7. Rep. William Pearson for the Minority of Election Law. This bill is an effort to prevent baseless petitions for revisions of the checklist. Such was the case in Dover last year when, after considerable expense from the Secretary of State, Attorney General, and the town of Dover, the Ballot Law Commission determined that there were no errors on the checklist and no purge was needed. While the minority does not believe that this bill is ready for passage, we do believe that the issue in Dover is significant enough to warrant further study.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Pearson spoke against.

Rep. Gray spoke in favor.

On a division vote, with 203 members having voted in the affirmative, and 121 in the negative, the majority committee report was adopted.

SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan. OUGHT TO PASS.

Rep. Jeffrey Goley for Executive Departments and Administration. This bill is a simple, straightforward bill that requires that the Fiscal Committee hold a public hearing before any changes are made to the state employee retiree health care plan. Prior to last year, the legislature heard public input on proposed changes to the retiree health plan because they had to go through the full legislative process. But now, the responsibility for making these policy changes has been delegated to the 10 members of the Fiscal Committee, where only agency heads are heard from, not the public. The New Hampshire legislature has always believed in the importance of taking public input, which is why every bill gets a public hearing. With an issue as complex as health care, we should be seeking all kinds of input, not just from the agency involved with a program. The committee also felt that the least we can do as we wrestle with these decisions is to give the more than 10,000 retirees who are affected by potential changes, the opportunity to have their voices heard in a public hearing. Retirees and members of the general public may have ideas that departments and the legislature may not have considered. Understanding how specific proposed changes on premiums, co-pays or plan design affect real people may lead to a better final decision, even if it is not the desired outcome of the participant. Vote 15-2.

Committee report adopted and ordered to third reading.

SB 334, establishing a commission to study the planning functions of the office of energy and planning. WITHOUT RECOMMENDATION

Statement in support of Ought to Pass: Planners help to facilitate the development of land, resources, facilities, and services for our municipalities while considering economic, social, environmental, and health impacts. When the Office of State Planning had the resources to fulfill the planning function of the NH state government, approximately 40 staff members dealt with the many and complex planning issues which confront our communities, made possible by a mix of funding resources. Over the last decade as the Office of State Planning has been folded into the Office of Energy and Planning, the planning staff has been reduced to six. Although this reflects greater efficiency and some programs being transferred to other agencies, much of the planning function has been downshifted to our towns, which has a major impact on small communities that rely on volunteers and part time staff. This bill was requested and strongly supported by the NH Planners Association to take a careful look at our planning needs and resources, and to consider how we want to ensure that we are properly resourced to help our communities and our state plan for the future.

Rep. David Borden

Statement in support of Inexpedient to Legislate: This bill sought to create a study commission to do research and evaluate the function, structure and operation of the Office of Energy and Planning (OEP). The bill was requested by the NH Planners Association which believes that OEP support has been declining for several years. One side of the committee felt that such a study should more appropriately be undertaken by the Governor's office since OEP is an administrative department. Since staffing and the strategic direction of OEP are directed by the Governor, that office can better determine what functions OEP should provide and the best way to accomplish those activities.

Rep. Michael Vose

Rep. Borden moved Ought to Pass and spoke in favor.

Rep. Vose spoke against.

On a division vote, with 150 members having voted in the affirmative, and 167 in the negative, the motion failed.

Rep. Vose moved Inexpedient to Legislate.

On a division vote, with 189 members having voted in the affirmative, and 130 in the negative, the motion was adopted.

SB 386, adding biodiesel to electric renewable energy sources. MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill clarifies that the production of biodiesel in New Hampshire is a qualifying renewable fuel within Class I of the Renewable Portfolio Standard. It finally resolves an ongoing debate amongst various parties about whether or not biodiesel already falls under the existing definition of "biomass fuels" in RSA 362-F:2, II. In making it abundantly clear, the bill adds New Hampshire produced biodiesel in a limited manner, with reasonable safeguards. No one testified in opposition to the bill, and the stakeholders who work on renewable issues were either neutral or supportive. The bill doesn't increase Class I provider requirements or rates, rather, because it diversifies Class I even more, it likely reduces the compliance trading prices in Class I. Additionally, by supporting New Hampshire produced biodiesel, this bill helps to support New Hampshire jobs and put downward pressure on home heating costs in cases where biodiesel is blended with traditional home heating oil. Vote 12-6.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. Many members of the committee are reluctant to change the way Renewable Portfolio Standard certificates are awarded. The bill would include biodiesel in Class I and would monetarily benefit the producers of biodiesel instead of the ordinary way in which the users of renewables to produce electricity or heat receive the benefits. Biodiesel is also not a 100% renewable form of energy. The minority felt more deliberation would have been in order considering the possible future consequences of our actions. Majority committee report adopted and ordered to third reading.

SB 489, requiring a demonstration project using a Stirling engine system. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Backus for Science, Technology and Energy. This bill accepts an offer for the provision of a Stirling engine for a demonstration project in a state building, with a report on the results of the demonstration to be due in five years. The bill does not specify a particular provider. However, at this time the offer to provide such an engine comes from DEKA industries, which has installed such an engine in a building in the Manchester mill yard. The project involves no cost to the state. The project's goal would be to demonstrate quantifiable energy and cost savings. Any contract would have to be without cost to the state and have to be approved by the Governor and Council. The Department of Administrative Services would be the agency to designate an appropriate site. Vote 14-4.

Amendment (1231h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing a demonstration project using a Stirling engine system.

Amend the bill by replacing section 1 with the following:

1 Stirling Engine System; Demonstration Project Authorized; State Building.

I. The department of administrative services may identify a state building or facility that would be a suitable candidate for a 5-year demonstration project for the installation of a Stirling engine system to provide electricity and/or heating needs for that building or facility.

II. The goal of the demonstration project is to ascertain the reliability, commercial viability, and cost effectiveness of supplying electricity and/or heat to a state-owned building using a Stirling engine system, provided that the project shall not increase the energy or heating costs of operating a state building for the period of the demonstration project.

III. The commissioner of administrative services, may enter into a contract in accordance with RSA 21-I, including approval by governor and council, not to exceed a 5-year period, for the demonstration project to be undertaken by a willing provider of a Stirling engine system. Any such contract that requires changes to the infrastructure of the state building shall be at the expense of the provider of the Stirling engine system. Any contract negotiated by the state of New Hampshire shall result in reimbursing the provider of the Stirling engine technology for electricity and/or the cost of heat provided at no more than the cost of the electricity and/or heat based on the current market rate, or the rate under any state contract for energy, whichever is lower. At the end of the demonstration project, the department of administrative services may retain any equipment provided it is in the best interest of the efficient operation of the building. If the department does not wish to retain the equipment, the provider shall remove the equipment and restore the building back to its original condition, or better, at no expense to the state, at which time any liability of the state for costs of the project shall terminate.

IV. The department of administrative services shall prepare an annual report to the governor, the senate president, the speaker of the house of representatives, and the chairman of the public utilities commission, presenting the results of any demonstration project to be filed on or before July 1 of each year of the project, and a final report filed no later than 6 months after the end of the project. The reports shall include any recommendations related to future use of Stirling engine technology if appropriate.

AMENDED ANALYSIS

This bill authorizes the department of administrative services to undertake a 5-year demonstration project for the use of a Stirling engine system to provide electricity and/or heat to a state building. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Halstead spoke against.

Rep. Townsend spoke in favor and yielded to questions.

Committee report adopted and referred to the Committee on Executive Departments and Administration.

SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill simply allows commercial fishing operators to register certain vehicles using our current agricultural plates. The vehicles must be used exclusively for the fishing operation and used only within a 10-mile radius of the operation. During a period of increased regulations from the federal government, the committee hopes the reduced cost of these plates will help them survive. Vote 16-0.

Committee report adopted and ordered to third reading.

SB 358, relative to use of navigation devices in motor vehicles. OUGHT TO PASS WITH AMEND-MENT.

Rep. Werner Horn for Transportation. The "Hands Free Law" (RSA 265:79-c) prevents young drivers from utilizing navigation devices that may enable them to travel safely. This bill will enable all drivers, regardless of age, to utilize navigation services under specific circumstances. The committee amendment specifically makes mobile electronic devices available to utilize navigation services. Vote 12-2.

Amendment (1223h)

Amend RSA 265:79-c, V as inserted by section 1 of the bill by replacing it with the following:

V. Nothing in this section shall prohibit a driver, regardless of age, from receiving aural routing information from a hands-free global positioning device or navigation service through a mobile electronic device; or receiving turn-by-turn routing information from the screen of a global positioning device or navigation service through a mobile electronic device that is integrated into the vehicle or mounted on the dashboard, windshield, or visor of the vehicle.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 433, relative to exclusions from seasonal highway weight limit regulation. OUGHT TO PASS. Rep. Gladys Johnsen for Transportation. Seasonal weight limits on certain state roads are designed to protect the roads. There is often a need for overweight trucks to go over these roads. There are exceptions in law already, including emergency vehicles, milk trucks, maple syrup trucks and heating delivery trucks. This bill adds septic trucks to those existing exceptions. Vote 10-4.

Rep. Sykes spoke against and yielded to questions.

Rep. Steven Smith spoke in favor.

Committee report adopted and ordered to third reading.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case. OUGHT TO PASS WITH AMENDMENT.

Rep. Debra DeSimone for Children and Family Law. The committee agreed that this bill as amended would protect youthful offenders who have been classified as adults by detaining them at the Sununu Youth Development Center until age 18. This bill as amended also makes New Hampshire compliant with the Federal Prison Rape Elimination Act (PREA) mandates. Vote 15-0.

Amendment (1345h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the detention of youthful offenders at the youth development center.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Sentences; Transfer of Youthful Offender. Amend RSA 651 by inserting after RSA 651:17 the following new section:

651:17-a Transfer of Youthful Offender. Any person under the age of 18 who has been certified as an adult pursuant to RSA 169-B:24 and sentenced to the state prison pursuant to RSA 651:15 or to a county correctional facility pursuant to RSA 651:17, may be transferred to the youth development center established under RSA 621 for service of their sentence until they reach the age of 18. Thereafter, any remaining portion of the sentence shall be served at the state prison or county correctional facility. The department of corrections, county correctional facilities, and the department of health and human services shall develop a memorandum of agreement which sets forth the roles and responsibilities of the parties when such a transfer occurs.

3 New Section; Youth Services Center; Service of Adult Sentence of Incarceration. Amend RSA 621 by inserting after RSA 621:35 the following new section:

621:36 Service of Adult Sentence of Incarceration at the Youth Development Center. Notwithstanding any provision of law or rule to the contrary, the department may accept any youthful offender who is transferred to the youth development center pursuant to RSA 651:17-a for service of their adult sentence of incarceration until the youth reaches the age of 18.

4 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center. The bill also permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images. OUGHT TO PASS. Rep. Len DiSesa for Criminal Justice and Public Safety. As we are all very much aware, anything that is posted on the internet is out there forever. For example, once e-mails are sent or photos posted, it is virtually impossible to pull them back. While there is much good that came with the growth of the world wide web and social networks, its massive outreach potential has spawned despicable behavior in the form of men and women who would post on the Internet what were initially very private photos or videos, many with a suggestive or even an overt sexual nature, in a malicious attempt to punish a former romantic partner or to exact revenge against that person. These photos and videos that were once sent willingly to a partner when the relationship was loving, mutual and ongoing, have been used to literally wreck the other person's life or to create a situation where he or she loses his or her job by sending the images to an employer or to fellow employees. Oftentimes the photos and/or videos are sent to the victim's children or other extended family members. Sometimes they are used as a threat for illegal leverage to prevent a victim from testifying in an ongoing domestic violence court action. The committee heard testimony from several victims of this kind of awful retaliation and the underlying thread was how devastating this was to the victims' lives. One woman testified that this occurred at the hands of her divorced husband almost ten years ago and still the photos resurface today. One female victim had left her phone in her coat pocket while she was volunteering at a shelter, only to have a male acquaintance - without her permission - access her phone and send the suggestive photos he found there to her e-mail address list, which forced her to leave the university she was attending. The committee heard testimony that was overwhelming in support of this bill from the NH Coalition Against Domestic and Sexual Violence, the Women's Information Service, the Attorney General's Office, and the Rockingham County Attorney's Office. All agreed that the language crafted in this bill was both substantive and all-encompassing and that this bill was necessary in order to effectively prosecute this kind of crime. The committee also heard from the Manchester Police Sergeant in charge of the Domestic Violence Unit in that city and he was in total support of this bill. He specifically recounted instances where a person could have been charged under the bill's language if it had been in place at the time of the investigation. This type of reprehensible crime is being committed with more and more frequency and it affects people at every level of social strata. Twenty-six states have already enacted similar legislation and it is well tested. Vote 13-0.

Committee report adopted and ordered to third reading.

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws. OUGHT TO PASS WITH AMENDMENT.

Rep. Rick Christie for Election Law. This bill adds active service National Guard members to the list of active-duty military personnel who may be allowed to request an absentee ballot. The bill also clarifies when voters are allowed to enter the space enclosed by the guardrail prior to receiving a ballot. The amendment modifies procedures for enrolling bills and resolutions to match current practice. Vote 17-0.

Amendment (1284h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to obtaining a ballot to vote, adding National Guard members to the absentee voting laws, and relative to enrollment of laws.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Enrollment of Laws. Amend RSA 14:8 to read as follows:

14:8 Enrollment of Laws. All bills and resolutions which have passed both branches of the legislature shall be forwarded to the office of legislative services to be there enrolled and prepared for submission to the governor. After such enrollment the bill or resolution shall be forwarded by the secretary of state to the committee on enrolled bills for final approval. After said final approval the bill or resolution shall be forwarded to the secretary of state. He shall keep such bills and resolutions, and they shall be kept as public records of the state.

AMENDED ANALYSIS

This bill:

- I. Includes active service National Guard members in the definition of absent uniformed services voters
 - II. Requires voters to enter the space enclosed by the guardrail prior to receiving a ballot.
 - III. Modifies procedures for enrolling bills and resolutions.

This bill was requested by the secretary of state.

Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment. Rep. Hoelzel offered floor amendment (1479h).

Floor Amendment (1479h)

Amend the title of the bill by replacing it with the following:

AN ACT adding National Guard members to the absentee voting laws and relative to enrollment of laws.

Amend the bill by deleting section 2 and renumbering the original sections 3-4 to read as 2-3, respectively.

AMENDED ANALYSIS

This bill:

- I. Includes active service National Guard members in the definition of absent uniformed services voters.
 - II. Modifies procedures for enrolling bills and resolutions.

Rep. Hoelzel spoke in favor.

Floor amendment (1479h) adopted.

Committee report adopted and referred to the Committee on Legislative Administration.

SB 481-FN, relative to a special health care service license and establishing a fund. OUGHT TO PASS WITH AMENDMENT.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is relative to a special health care service license and establishing a fund which outlines steps to be taken to ensure patients will receive high quality care by any new provider offering cardiac catheterization, open heart or coronary artery bypass, graft surgery or megavoltage radiation therapy. Any new service proposed to open within 15 miles of a critical access hospital may be scrutinized if it jeopardizes the essential services offered by the critical access hospital. Vote 16-0.

Amendment (1383h)

Amend RSA 151:4, VII as inserted by section 3 of the bill by replacing it with the following:

VII. Any person shall have the right, within 30 days after the filing of any application, to object in writing prior to action by the department on any license on the grounds that the application does not meet the applicable requirements of this chapter or any rule adopted under this chapter. If the license is granted by the department over a timely objection, the person who objected shall have a right to request a rehearing by the commissioner of the department of health and human services under RSA 541:3 within 30 days and to appeal under RSA 541 based on the grounds stated in the objection. If the license is denied by the department in the first instance or after rehearing, the applicant may appeal within 30 days of the date of the department's notice of decision to the supreme court. Committee amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment. Rep. Dan McGuire offered floor amendment (1458h).

Floor Amendment (1458h)

Amend RSA 151:2-e, II as inserted by section 1 of the bill by replacing it with the following: II. In this chapter, "special health care service" means:

- (a) Cardiac catheterization laboratory services;
- (b) Open heart surgery or coronary artery bypass graft surgery; and
- (c) Megavoltage radiation therapy.

Rep. Dan McGuire spoke in favor.

Rep. Kotowski spoke against.

On a division vote, with 123 members having voted in the affirmative, and 188 in the negative, floor amendment (1458h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Edelblut spoke against.

(Rep. Packard in the Chair)

Reps. Fothergill and Stephen Schmidt spoke in favor.

Rep. Joanne Ward spoke against.

Reps. Dan McGuire and Sanborn spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that SB 481-FN, relative to a special health care service license and establishing a fund, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 129 NAYS 182

YEAS - 129

BELKNAP

Aldrich, Glen Howard, Raymond Spanos, Peter Fraser, Valerie

Hurt, George Vadney, Herbert LeBreche, Shari

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

Buco, Thomas

McConkey, Mark

Ticehurst, Susan

Butler, Edward

Umberger, Karen

Nelson, Bill

CHESHIRE Tilton, Benjamin Hunt, John Roberts, Kris McConnell, James Sterling, Franklin COOS Rideout, Leon GRAFTON Darrow, Stephen Johnson, Eric Gionet, Edmond Hull, Robert HILLSBOROUGH Ammon, Keith Griffin, Barbara Biggie, Barbara Adams, Christopher Boehm, Ralph Byron, Frank Christensen, Chris Burt, John Coffey, James Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Halstead, Carolyn Hansen, Peter Hogan, Edith Hopper, Gary Belanger, James McLean, Mark Rice, Kimberly Ober, Lynne McClarren, Donald Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Christie, Rick Ohm. Bill Pellegring, Anthony Proulx, Mark Sanborn, Laurie Seidel, Carl Rouillard, Claire Scontsas, Lisa Simmons, Tammy Souza, Kathleen Straight, Phillip Twombly, Timothy Ulery, Jordan Zaricki, Nick MERRIMACK McGuire, Carol Long, Douglas McGuire. Dan Brewster, Michael French, Harold Hess. David Hill, Gregory Hoell, J.R. Horn, Werner Karrick, David Kenison, Linda Kuch, Bill Martin, John Seaworth, Brian Wheeler, Deborah Marple, Richard ROCKINGHAM Baldasaro, Alfred Abrami, Patrick Abramson, Max Allen, Mary Chirichiello, Brian Thomas, Douglas Bates, David Cardon, G. Thomas Dean-Bailey, Yvonne Doucette, Fred Duarte, Joe Emerick, J. Tracy Rice, Frederick Gannon, William Green, Dennis Harris, Jeffrey Kappler, Lawrence Hodadon, Bruce Sweeney, Joe Ward, Joanne McKinney, Betsy Major, Norman Manning, John Matthews, Carolyn Schroadter, Adam Osborne, Jason Gordon, Richard Tilton, Rio Vose, Michael Spillane, James True, Chris Tucker, Pamela Weyler, Kenneth Woitkun, Steven STRAFFORD DeLemus, Susan Beaudoin, Steven Berube, Roger Cheney, Catherine Kaczynski, Thomas Jones, Laura Groen, Warren Hannon, Joseph Leeman, Don Mullen, John Knowles, Robert Turcotte, Leonard Pitre, Joseph Whitehouse, Joshua Wuelper, Kurt SULLIVAN Rollins, Skip NAYS - 182 **BELKNAP** Tilton, Franklin Fields, Dennis Flanders, Donald Gallagher, Brian CARROLL

Crawford, Karel

Schmidt, Stephen

Chandler, Gene

Parker, Harold

CHESHIRE

Abbott, Michael Eaton, Daniel Parkhurst, Henry Shepardson, Marjorie Ames, Richard Emerson, Susan Pearson, William Weber, Lucy Berch, Paul Johnsen, Gladys Robertson, Timothy Bordenet, John Mann, John Sad, Tara

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William Tholl, John Moynihan, Wayne

GRAFTON

Abel, Richard Cooney, Mary Hennessey, Martha Piper, Wendy Townsend, Charles Almy, Susan Ford, Susan Maes, Kevin Brown, Rebecca Bailey, Brad Higgins, Patricia Massimilla, Linda Smith, Suzanne

Bennett, Travis Ladd, Rick Nordgren, Sharon Sykes, George

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Cote, David
Flanagan, Jack
Gargasz, Carolyn
Gorman, Mary
Harvey, Suzanne
Jack, Martin
Lachance, Joseph
Mangipudi, Latha
Pierce, David
Rosenwald, Cindy
Soucy, Timothy
Wolf, Terry

Balcom, John Booras, Efstathia Sullivan, Daniel Forest, Armand Gidge, Kenneth Guerette, C. Lee Heath, Mary Jeudy, Jean LeBrun, Donald Manley, Jonathan Porter, Marjorie Rowe, Robert Takesian, Charlene Woodbury, David

Baroody, Benjamin Cohen, Alan Danielson, David Freitas, Mary Goley, Jeffrey Haefner, Robert Herbert, Christopher Kurk, Neal Leishman, Peter McCarthy, Peggy Ober, Russell Shattuck, Gilman Vann, Ivy Barry, Richard Cornell, Patricia DiSilvestro, Linda Gagne, Larry Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Christiansen, Lars O'Brien, Michael Peterson, Ken Walsh, Robert Shaw, Barbara Williams, Kermit

MERRIMACK

Alicea, Caroletta Carson, Clyde Hirsch, Geoffrey Moffett, Howard Shurtleff, Stephen French, Barbara Doherty, David Frazer, June Rogers, Katherine Wallner, Mary Jane Bartlett, Christy Gile, Mary Kotowski, Frank Saunderson, George Bradley, Paula Henle, Paul MacKay, James Schuett, Dianne

ROCKINGHAM

Azarian, Gary Cahill, Michael DiFranco, Debbie Friel, William Hoelzel, Kathleen McBeath, Rebecca O'Connor, John Simpson, Alexis Barnes, Arthur Cali-Pitts, Jacqueline Edgar, Michael Ward, Gerald Katsakiores, Phyllis McMahon, Charles Potucek, John Sytek, John Berrien, Skip Cushing, Robert Elliott, Robert Guthrie, Joseph Lovejoy, Patricia Milz, David Belanger, Ronald

Webb, James

Borden, David Devine, James Francese, Paula Heffron, Frank Griffin, Mary Nigrello, Robert Sherman, Thomas Welch, David

STRAFFORD

Baber, William Gardner, Janice Smith, Marjorie Spang, Judith Bickford, David Gray, James Schmidt, Peter Sprague, Dale Bixby, Peter Horrigan, Timothy Rollo, Deanna Treleaven, Susan

Cilley, Jacalyn Kaen, Naida Southworth, Thomas Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Smith, Steven Oxenham, Lee

and the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Weber spoke in favor.

(Speaker Jasper in the Chair)

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 198 NAYS 114

YEAS - 198 BELKNAP

	d Gallagher, Brian
CARROLL	

Buco. Thomas Butler, Edward Chandler, Gene Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Ames. Richard Berch, Paul Bordenet, John Eaton, Daniel Johnsen, Gladys Emerson, Susan Roberts, Kris Mann, John Parkhurst, Henry Pearson, William Robertson, Timothy Sad. Tara Shepardson, Marjorie Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Theberge, Robert Tholl, John

GRAFTON

Abel, Richard Almy, Susan Bailey, Brad Bennett, Travis Cooney, Mary Brown, Duane Darrow, Stephen Ford, Susan Gionet, Edmond Higgins, Patricia Ladd, Rick Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Brown, Rebecca Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH Backus, Robert Balcom, John Baroody, Benjamin Barry, Richard Beaulieu, Jane Booras, Efstathia Coffey, James Cohen, Alan Cornell, Patricia Cote, David Sullivan, Daniel Danielson, David DiSilvestro, Linda Flanagan, Jack Forest, Armand Freitas, Mary Gagne, Larry Gargasz, Carolyn Gidge, Kenneth Goley, Jeffrey Gonzalez, Carlos Gorman, Mary Guerette, C. Lee Haefner, Robert Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hinch, Richard Jack, Martin Jeudy, Jean Kurk, Neal Christiansen, Lars Ober, Lynne Lachance, Joseph LeBrun, Donald Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McCarthy, Peggy Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Marjorie Proulx, Mark Walsh, Robert Rosenwald, Cindy Rowe, Robert Shattuck, Gilman Shaw, Barbara Soucy, Timothy Williams, Kermit Souza, Kathleen Takesian, Charlene Vann, Ivv Wolf, Terry Woodbury, David

MERRIMACK

Alicea, Caroletta French, Barbara Bartlett, Christy Bradley, Paula French, Harold Carson, Clyde Doherty, David Gile, Marv Henle, Paul Hirsch, Geoffrey Frazer, June Karrick, David MacKay, James Kenison, Linda Kotowski, Frank Moffett, Howard Schuett, Dianne Rogers, Katherine Saunderson, George Shurtleff, Stephen Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert Devine, James DiFranco, Debbie Doucette, Fred Edgar, Michael Elliott, Robert Rice, Frederick Francese, Paula Ward, Gerald Guthrie, Joseph Hoelzel, Kathleen Loveiov. Patricia Heffron, Frank Major, Norman Matthews, Carolyn McBeath, Rebecca McMahon, Charles Milz, David O'Connor, John Nigrello, Robert Packard, Sherman Belanger, Ronald Sherman, Thomas Tilton, Rio Simpson, Alexis Sytek, John Webb, James Welch, David

STRAFFORD

Baber, William Berube, Roger Bickford, David Bixby, Peter Cilley, Jacalyn Gardner, Janice Gray, James Horrigan, Timothy Schmidt, Peter Kaen, Naida Leeman, Don Smith, Mariorie Rollo, Deanna Southworth, Thomas Spang, Judith Sprague, Dale Treleaven, Susan Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham, Lee Smith, Steven

NAYS - 114 BELKNAP

Aldrich, Glen Howard, Raymond Hurt, George LeBreche, Shari Spanos, Peter Fraser, Valerie Vadney, Herbert

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

Tilton, Benjamin Hunt, John McConnell, James Sterling, Franklin

COOS

Rideout, Leon

Johnson, Eric

GRAFTON

Hull. Robert HILLSBOROUGH

Adams, Christopher Ammon, Keith Griffin, Barbara Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda Halstead, Carolyn Hansen, Peter Hogan, Edith Hopper, Gary Belanger, James Rice, Kimberly McClarren, Donald McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm. Bill Christie, Rick Ober, Russell Rouillard, Claire Sanborn, Laurie Scontsas, Lisa Seidel, Carl Simmons, Tammy Straight, Phillip Twombly, Timothy Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hess, David	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	Seaworth, Brian

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Chirichiello, Brian	Thomas, Douglas
Dean-Bailey, Yvonne	Duarte, Joe	Emerick, J. Tracy	Friel, William
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Sweeney, Joe	Ward, Joanne	Kappler, Lawrence	Katsakiores, Phyllis
Griffin, Mary	Manning, John	McKinney, Betsy	Osborne, Jason
Potucek, John	Gordon, Richard	Schroadter, Adam	Spillane, James
True, Chris	Tucker, Pamela	Vose, Michael	Weyler, Kenneth
Woitkun, Steven			•

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Thomas	Knowles, Robert
Turcotte, Leonard	Mullen, John	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Rollins, Skip

and the committee report was adopted and referred to the Committee on Finance.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. OUGHT TO PASS.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Historically, Medicaid home health care services had to be delivered inside the recipient's home. This bill recognizes the therapeutic benefits of being able to deliver care outside the home, when appropriate. The bill tracks recent changes to this effect in the federal rules. The bill does not change the amount of services allocated to a recipient, it just allows delivery of services in a wider setting. The bill also amends the Licensed Nursing Assistant Scope of Practice statute to make it clear that licensed nursing assistants (LNAs) may deliver services outside the home, or a health care facility. This ensures that LNAs may provide services in a school or community setting, when appropriate. Vote 18-0. Committee report adopted and referred to the Committee on Finance.

SB 496-FN, relative to personal care attendant services. **OUGHT TO PASS WITH AMENDMENT.** Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill addresses the services provided by personal care attendants. This bill allows personal care services to be delivered in locations in which normal life activities occur. Without this bill, an attendant could not assist their client on the front porch of their residence, but with this bill they can. This bill allows severely physically disabled persons to receive care outside the home. This bill does not increase the hours of service available, but expands the places where services can be offered. Vote 18-0.

Amendment (1342h)

Amend the bill by replacing all after the enacting clause with the following:

1 Personal Care for the Severely Physically Disabled; Definitions. Amend RSA 161-E:1, III to read as follows:

III. "Severely physically disabled person" shall mean an *adult* individual *over the age of 18* who has been approved to participate in an independent living program and who requires a minimum of 2 hours of medically oriented personal care per day in order to maintain himself or herself in a noninstitutional setting. Such care may include [hands-on] assistance in the following areas: basic personal care and grooming, assistance with bladder and bowel care, assistance with medications, assistance with nutrition including meal preparation and essential household services.

2 Personal Care for the Severely Physically Disabled; Personal Care Attendant Services Program. Amend RSA 161-E:2 to read as follows:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide [on a periodic basis] medically oriented long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. Personal care services under this chapter shall be delivered in locations in which normal life activities occur.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill clarifies the definition of a severely physically disabled person and includes access to the community for such persons under the law governing personal care for the severely physically disabled.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill sought a one-year fund for a single program to provide a heroin and opiate prevention educational session to high schools. The committee felt this program should be considered along with all other programs. The state's response to the opioid epidemic needs to be well coordinated. This coordination should include the Governor's Commission on Alcohol and Drug Abuse Prevention, treatment and recovery, local schools as well as many others. Ear marking money for a single program is contrary to this strategy. Vote 13-0.

Reps. Duane Brown and Cooney spoke against.

Reps. Fothergill and Lynne Ober spoke in favor.

On a division vote, with 193 members having voted in the affirmative, and 91 in the negative, the committee report was adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, May 11, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

SB 152, relative to criminal history records checks for school employees and designated school volunteers.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies.

SB 450, relative to investments by insurance companies.

SB 468-FN, relative to changes to the sex offender registry.

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

SB 353, relative to names on ballots.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees.

SB 345, relative to the definition of agritourism.

SB 524, relative to state procurement card rebates.

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings.

SB 341, establishing a committee to study guardianship in New Hampshire.

SB 352, naming a cove in Lake Winnipesaukee as Ritson Cove.

SB 374, requiring the department of environmental services to update coastal flooding trends.

SB 375, establishing the coastal marine natural resources and environment commission.

SB 461-FN, relative to expenditures of the Winnipesaukee River Basin control program funds.

SB 484, relative to the role of the Winnipesaukee River advisory board.

SB 309, relative to sulfur limits of certain liquid fuels.

SB 377, relative to emission levels of municipal waste combustion units.

SB 357, relative to driver's license examinations.

SB 359, relative to funding electric vehicle charging stations with municipal registration permits.

SB 362, requiring notice to planning boards of placement of signs on scenic byways.

SB 519, relative to highway signs.

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax.

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies.

SB 442-FN, establishing a commission to study the taxability of lease interests in public property.

SB 488-FN-L, establishing an advisory council on lactation.

SB 543-FN, relative to private transferring of adopted children.

SB 323, relative to the use of force by employees of hospitals or other health care facilities.

SB 509-FN, relative to voter registration forms and relative to voter identity verification.

SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan.

SB 386, adding biodiesel to electric renewable energy sources.

SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations.

SB 358, relative to use of navigation devices in motor vehicles.

SB 433, relative to exclusions from seasonal highway weight limit regulation.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images.

UNANIMOUS CONSENTS

Reps. Biggie and Weber requested Unanimous Consent of the House regarding an apology and addressed the House.

Rep. Leeman requested Unanimous Consent of the House regarding the earthquake in Ecuador and addressed the House.

Rep. Dan McGuire requested Unanimous Consent of the House regarding the constitution and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 3:40 p.m.

RECESS

(Rep. Schuett in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 216, 351, 499, 1219, 1225 and 1285 and Senate Bills numbered 25, 237, 257, 312, 314, 316, 322, 328, 370, 371, 390, 392, 397, 398 and 446.

Rep. Hinch, Sen. Prescott for the Committee

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 480-FN-A**, relative to the historical fund.

SENATE MESSAGES CONCURRENCE

HB 601-FN, relative to cash dispensing machine requirements.

HB 1124, relative to the membership of the occupational therapy governing board.

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

HB 1175-FN, relative to post-judgment real estate liens.

HB 1195, relative to prepayment contracts for petroleum products.

HB 1202, relative to applications submitted to a planning board.

HB 1223, relative to changes of address on election day.

HB 1226, relative to administration of pharmaceutical agents by optometrists.

HB 1292, relative to the use of abandoned agricultural property.

HB 1329, relative to transportation of alcoholic beverages.

HB 1331, relative to the membership of the compensation appeals board.

HB 1340, relative to producer licensing.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.

HB 1378, relative to disabled voters requiring assistance.

HB 1409, relative to life, accident, and health insurance.

HB 1410, relative to motor vehicle coverage.

HB 1450, relative to risk-based capital for insurers.

HB 1451-FN, relative to the annulment of certain criminal offenses.

HB 1459, relative to commercial coverage.

HB 1467, relative to notice of village district elections.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.

HB 1587, relative to limitations on capital reserve funds of counties.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

HB 1618, relative to debt adjustment services.

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

REFERRED FOR INTERIM STUDY

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

HB 1114, relative to the number of inspectors of election.

LAID ON THE TABLE

HB 1231, relative to school district policy regarding objectionable course material.

NONCONCURRENCE

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

HB 1232, relative to visits to schools by non-academic government or private organizations.

HB 1288, relative to the National Guard force protection policy.

HB 1434-FN, relative to out-of-home placements under the child protection act.

HB 1569-FN, relative to volunteers under the department of resources and economic development.

HB 1631-FN, relative to penalties for possession of marijuana.

CONCURRENCE WITH AMENDMENTS

SB 378, relative to the availability of net metering tariffs.

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month.

RECESS

(Rep. Gottling in the Chair)

ENROLLED BILL AMENDMENT

SB 378, relative to the availability of net metering tariffs. (Amendment printed SJ 4/21/16) Motion adopted.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENTS

HB 377, establishing a state geographic information system committee.

Amendment 2016-1544EBA

Amend RSA 4-F:1, II as inserted by section 2 of the bill by replacing line 23 with the following:

(e) A regional planning commissioner, appointed by the New Hampshire Association of Amend RSA 4-F:1, III as inserted by section 2 of the bill by replacing line 2 with the following: resources with the exception of information that is nonpublic, is statutorily restricted, or is part of a Motion adopted.

HB 1289, making technical corrections to certain tax laws.

Amendment 2016-1561EBA

Amend RSA 84-C:5, I as inserted by section 6 of the bill by replacing line 1 with the following: I. Except as provided in RSA 84-C:5-a and rules adopted pursuant to RSA 84-C:9, I-a, Motion adopted.

HB 1239, relative to certain terminology in the education statutes.

Amendment 2016-1567EBA

Amend section 3 of the bill by replacing line 1 with the following:

3 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-E:1, II as inserted by section 6 of the bill by replacing line 4 with the following: system, the state establishes[, through] minimum standards for public school approval [and Amend RSA 193-E:2-a, VI as inserted by section 7 of the bill by replacing line 3 with the following: approval' [shall] mean the applicable criteria that public schools and public academies shall meet in Motion adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 535, 1116, 1165, 1181, 1197, 1208, 1220, 1244, 1245, 1283, 1290, 1300, 1332, 1497 and 1665 and Senate Bills numbered 313, 330, 332, 378, 400 and 460.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENTS

HB 1195, relative to prepayment contracts for petroleum products.

Amendment 2016-1600EBA

Amend section 1 of the bill by replacing line 2 with the following: RSA 339:79, III and RSA 339:79, III(a) to read as follows: Motion adopted.

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.

Amendment 2016-1707EBA

Amend RSA 263:42, I-c as inserted by section 13 of the bill by replacing line 1 with the following: I-c. For the conversion of a driver's license to an enhanced driver's license, which shall be for Motion adopted.

SB 386, adding biodiesel to electric renewable energy sources. (Amendment printed 4/28/16) Motion adopted.

SENATE MESSAGES CONCURRENCE

HB 659-FN-L, relative to eligibility for an absentee ballot.

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.

HB 1264, relative to carnival or amusement ride inspections.

HB 1266-FN, legalizing firecrackers.

HB 1286, relative to days when fishing without a license is permitted.

HB 1294, relative to exemptions from licensure as a massage therapist.

HB 1349-FN, relative to the location of the Merrimack county superior court.

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

HB 1588, repealing certain prohibitions on employment of state employees.

REFERRED FOR INTERIM STUDY

HB 1141, defining "agritourism."

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation.

NONCONCURRENCE

HB 513, relative to complaint investigation procedures of the guardian ad litem board.

HB 594-FN-A, establishing keno.

HB 1381-FN, relative to the sale of smoke bombs.

HB 1445-FN, relative to tinted windows on motor vehicles.

HB 1540-FN, relative to direct shipments of beer.

HB 1626-FN, relative to drug take-back programs.

HB 1654-FN, relative to flying a drone above a correctional facility.

CONCURRENCE WITH AMENDMENTS

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax.

SB 358, relative to use of navigation devices in motor vehicles.

SB 375, establishing the coastal marine natural resources and environment commission.

SB 442-L, establishing a commission to study the taxability of lease interests in public property.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered HB 1616.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Haefner in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 377 and 1289 and Senate Bill numbered 427.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 1331, relative to the membership of the compensation appeals board.

Amendment 2016-1776EBA

Amend section 1 of the bill by replacing line 1 with the following:

1 Compensation Appeals Board; Membership. RSA 281-A:42-a, I is repealed and reenacted to read as follows:

Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing line 11 with the following: or human resources or administrative law. As a condition to maintaining eligibility to hear Motion adopted.

HB 1349, relative to the Merrimack county superior court.

Amendment 2016-1895EBA

Amend 2015, 220:1, II, D as inserted by section 1 of the bill by replacing lines 1-5 with the following:

D. Court Facilities

1. Merrimack County Superior Court

New Courthouse *

2. Hampton Circuit Court, Architectural/Engineering

3. Milford Circuit Court, Architectural/Engineering Motion adopted.

[16,600,000]15,700,000

300,000 255,500

HB 1618, relative to debt adjustment services.

Amendment 2016-1898EBA

Amend RSA 399-D:7, I(b) as inserted by section 1 of the bill by replacing it with the following: (b) File an annual report pursuant to RSA 399-D:9, I(a).

Amend RSA 399-D:7, III as inserted by section 1 of the bill by replacing line 3 with the following: RSA 399-D:21.

Amend RSA 399-D:12, I as inserted by section 1 of the bill by replacing line 11 with the following: and vaults of all such persons, and may require the attendance of any person to examine him or Amend RSA 399-D:12, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. The department may subpoena witnesses and administer oaths and compel, by

Amend RSA 399-D:12, V as inserted by section 1 of the bill by replacing line 3 with the following: institutions for the cost of examinations under RSA 383:11, except when the principal office of the Amend RSA 399-D:12, VI(a) as inserted by section 1 of the bill by replacing line 8 with the following: commissioner within 7 calendar days and shall return the files selected by the commissioner to the Amend RSA 399-D:12, VI(b) as inserted by section 1 of the bill by replacing line 2 with the following: shall subject a licensee or person to a fine of \$50 per day for each day after 21 days that the files and Amend RSA 399-D:12, VII as inserted by section 1 of the bill by replacing line 3 with the following: business of debt adjustment, or is participating in such business as principal, agent, broker, or

Amend RSA 399-D:14, II(a) as inserted by section 1 of the bill by replacing it with the following: (a) A clear description of the services to be provided to the debtor;

Amend RSA 399-D:16, IV(a) as inserted by section 1 of the bill by replacing it with the following: (a) Every 90 days;

Amend RSA 399-A:18 as inserted by section 1 of the bill by replacing line 1 with the following: 399-D:18 Powers of the Commissioner.

Amend RSA 399-D:19, I(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) Barring any person from licensure if it is in the public interest and the applicant, Motion adopted.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Amendment printed SJ 5/5/16)

Motion adopted.

SB 543-FN, relative to private transferring of adopted children. (Amendment printed SJ 5/5/16) Motion adopted.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENT

SB 375, establishing the coastal marine natural resources and environment commission. (Amendment printed SJ 5/12/16) Motion adopted.

SENATE MESSAGES CONCURRENCE

HB 466, relative to farm tractor plates for certain specialized vehicles.

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

- HB 1280, relative to grounds for modification of parental rights and responsibilities.
- HB 1287, repealing a provision of the harassment statute.
- HB 1302, relative to driver's license requirements for operation of a mixed use school bus.
- HB 1316, relative to hospital rates for self-pay patients.
- HB 1357, relative to the duties of the department of cultural resources.
- HB 1394, relative to the appropriation for developmental services.
- HB 1403, relative to reinsurance.
- HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.
- HB 1594-FN, relative to emergency medical services.
- HB 1601, relative to certain continuing care communities.
- **HB 1664-FN**, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.
- HCR 12, urging support of the 65/25 initiative in New Hampshire.

REFERRED FOR INTERIM STUDY

- HB 1279, relative to grounds for termination of parental rights.
- **HB 1478,** establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.
- **HB 1493,** relative to ownership of DNA.

LAID ON THE TABLE

- HB 629-FN, relative to induced termination of pregnancy statistics.
- HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.
- HB 1252, permitting employers to pay wages to employees weekly or biweekly.
- HB 1570-FN, repealing the law governing access to reproductive health care facilities.

NONCONCURRENCE

- HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income.
- **HB** 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.
- HB 1127, relative to qualifications of referees in the superior courts and circuit courts.
- HB 1152, relative to the definition of specialty beer.
- HB 1188, relative to the brew pub license.
- HB 1211, relative to requirements for certain alcoholic beverage licenses.
- **HB 1229,** prohibiting the inclusion of statewide assessment results in a student's transcript without consent.
- HB 1236, relative to hearings on modifications of parental rights and responsibilities.
- HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings.
- HB 1250, relative to medical neglect of children.
- **HB 1270**, relative to a jury's determination as to the applicability of a law.
- HB 1338, relative to student exemption from the statewide assessment.
- **HB 1370,** relative to termination of tenancy.
- HB 1408-FN, relative to a school building inventory.
- HB 1471, relative to parental rights.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

HOUSE JOURNAL NO. 13

Wednesday, May 11, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by the member from Salem, Representative Robert Elliott.

Almighty God, from whom we come and to whom we all shall one day return, we thank Thee for another 24 hours of this precious gift we call life. As we begin our difficult day, we ask Thee to give us keen minds, and pure hearts to do what is best. We ask Thee to bless each one of us this day, as we few, we precious few, go about our work representing all of our people. We ask Thee to keep us humble when our egos begin to swell. We ask Thee to grant us patience when our tempers begin to grow thin. We ask Thee to grant us renewed strength when we start to grow tired. Remind us to be kind to one another and let us not be politicians, but public servants. Thus will we always be faithful stewards of all the heavy responsibilities that You have placed upon each one of us. May God bless the Speaker of the House as he continues to walk in paths of righteousness and justice. May God bless our gloriously beautiful State of New Hampshire and with all the dangers within and without our country, we ask Thee to continue to still, "Stand beside us, and guide us through the night with a light from above. From the mountains, to the prairies, to the ocean, white with foam. God bless America, our home sweet home." Amen.

Representative Mary Cooney, member from Plymouth, led the Pledge of Allegiance.

The National Anthem and America the Beautiful was sung by Caroline Burns of Hollis.

LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Bush, Comtois, Kellogg, Moody, Priestley, Rappaport, Russell and Sanders, the day, illness.

Reps. Beaulieu, Rebecca Brown, Dumais, Halstead, Hirsch, Jeudy, Frank McCarthy, Peggy McCarthy, Moore, Mullen, Oligny, Shackett, Daniel Sullivan, Tamburello, Tucker, Vadney and Woitkun, the day, important business.

Reps. Alicea and McKinney, the day, illness in the family.

INTRODUCTION OF GUESTS

Kay Williams, Jan Simone, Colonel Michael Simone, Mother, Sister and Brother-in-law, guests of Kermit Williams. David Woolpert, guest of Reps. Barbara French and Geoffrey Hirsch. Marcy Katz Rothenberg and Peg Lipin, guests of Rep. Heath. Linda Twombly, wife of Rep. Twombly. Donovan Fenton, guest of Rep. Cynthia Chase. The Honorable Jan Schmidt, former member from Nashua, Patricia Klee, and Pam Swersky, guests of Rep. Rosenwald. Steve and Rhonda Burns, parents of the singer, guests of Rep. James Belanger. Former Speaker of the House Terie Norelli, Former Clerk of the House Karen Wadsworth, and members of former Deputy Speaker Linda Foster's family, including her husband, Scott Foster, guests of the House.

Samantha Schwarz, student at Kingswood Regional High School, Page for the day.

UNANIMOUS CONSENT

Rep. Wallner requested Unanimous Consent of the House regarding memorial remarks for the former member from Mont Vernon, the Honorable Linda Foster.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Mont Vernon, the Honorable Linda Foster.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Wallner during Unanimous Consent be printed in the Permanent Journal.

REMARKS

Representative Wallner: Good morning Mister Speaker and members of the House. I rise before you this morning to celebrate and remember our colleague, the Honorable Linda Foster. I am joined at the podium today by members of the Democratic leadership, including the Chairs and Vice Chairs when Linda was serving as Deputy Speaker. I also wish to recognize some visitors in the gallery. Former Speaker Terie Norelli, former House Clerk Karen Wadsworth and members of Linda Foster's family, including her husband, Scott. Welcome. Linda came to the House in 1993 and served on four committees over the course of her eight terms on the House. She was on Municipal and County, Local and Regulated Revenues, Finance and Rules. In 1999, Linda was named as an Assistant Democratic Leader and in 2001 was appointed as Democratic Policy Leader. After the 2006 election, when Democrats took the majority of the New Hampshire House, after a hiatus of 150 years, Speaker Terie Norelli asked Linda Foster to be her Deputy Speaker. Representative Foster served as Deputy Speaker for four years. It did not take Linda long after her arrival at the State House to get busy representing her constituents and New Hampshire's small towns. An often repeated mantra of Linda's would be, "Those people from the cities, they don't get what it's like to be from a small town." Linda fulfilled her role as advocate for small towns by passing into law legislation that did much to help at the local, municipal and school district levels. Teaching came naturally to Linda, a skill she embraced all her life. Linda taught special education at the Mount Hope School for the Handicapped in Nashua and later served as a substitute teacher and a special education assistant at the Milford Area Senior High School. Many of Linda's friends have described her as being fun and indeed Linda had a playful side. A visit to her office at the State House was an encounter with Linda's menagerie of frogs, wild, natural and just plain gorgeous. On returning from a trip to the Southwest, Linda gleefully showed off her newly acquired cowgirl boots. A beautifully tooled pair of handsome boots that she relished wearing to the Speaker's podium while wielding the gavel. As Speaker Norelli said at Linda's memorial service in March, "Even in the politically-charged environment of the State House, Linda was one of those rare politicians with whom everyone got along. She was always ready with a smile and a warm greeting and she made friends with Democrats and Republicans alike, taking time to get to know them personally. I never heard Linda speak harshly about her colleagues. but ever the teacher, she might suggest some changes in their grammar." For her it was never about personality, but about the policies we were considering. She brought her unique viewpoint to the table. She wasn't in it for any kind of glory or recognition. Just to do the right thing for her community, as she also did by serving on the board of Southern New Hampshire Services. The rest of us benefited from her experience with that organization as well, because she learned about the needs of the people of our state and she shared that knowledge with her colleagues. Linda's family was always her top priority and it was those shining stars, her grandchildren, who ultimately caused her to retire from the House. We are very grateful to Linda and her family for the time that Linda gave to us. I want to assure Linda's family that her work here was valued and helped to make New Hampshire a better state for our citizens. We will miss her dearly.

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 356, establishing a commission to study cryptocurrency regulation. (Amendment printed SJ 4/21/16)

Rep. Hunt moved that the House concur and spoke in favor. Motion adopted.

HB 1105, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors. (Amendments printed SJ 4/7/16) Rep. Hunt moved that the House concur and spoke in favor. Motion adopted.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers. (Amendment printed SJ 4/28/16) Reps. Hunt and Major moved that the House concur.

Rep Hunt spoke in favor.

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Amendment printed SJ 5/5/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

HB 1415, relative to escape from official custody. (Amendment printed SJ 5/5/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

HB 1426-FN, relative to earned time credits for prisoners participating in educational programming. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

HB 1303, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district. (Amendment printed SJ 4/14/16)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 1624-FN, relative to electioneering by public employees. (Amendment printed SJ 4/21/16) Rep. Hoelzel moved that the House concur and spoke in favor.

Motion adopted.

HB 645-FN, relative to the licensure and regulation of child day care agencies. (Amendment printed SJ 1/14/16)

Reps. Andrew Christie and Tholl moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. (Amendment printed SJ 3/17/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses. (Amendment printed SJ 4/14/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Amendment printed SJ 4/14/16)

Rep. Kidder moved that the House concur and spoke in favor.

Motion adopted.

HB 1138, relative to access to investigational drugs, biological products, and devices. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

HB 1210, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

HB 1269, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

HB 1423-FN, relative to rulemaking for prescribing controlled drugs. (Amendment printed SJ 4/28/16) Rep. Kotowski moved that the House concur and spoke in favor. Motion adopted.

HB 1490, relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs. (Amendment printed SJ 4/28/16)

Rep. Kotowski moved that the House concur and spoke in favor.

Motion adopted.

HB 1681-FN, establishing a commission on hypodermic syringes and needles. (Amendments printed SJ 5/5/16)

Reps. Kotowski and Tholl moved that the House concur.

Rep. Kotowski spoke in favor.

Motion adopted.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding. (Amendment printed SJ 5/5/16)

Rep. Rowe moved that the House concur and spoke in favor.

Motion adopted.

HB 1486, relative to membership of the state house bicentennial commission. (Amendment printed SJ 5/5/16)

Rep. Hinch moved that the House concur and spoke in favor.

Motion adopted.

HB 1147, requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee. (Amendment printed SJ 5/5/16) Rep. C. Christensen moved that the House concur and spoke in favor. Motion adopted.

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain. (Amendment printed SJ 5/5/16)

Rep. C. Christensen moved that the House concur and spoke in favor.

Motion adopted.

HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds. (Amendment printed SJ 4/28/16)

Rep. C. Christensen moved that the House concur and spoke in favor.

Motion adopted.

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual. (Amendment printed SJ 4/28/16)

Reps. Introne and Kurk moved that the House concur.

Rep. Introne spoke in favor.

Motion adopted.

HB 1148, establishing a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts. (Amendment printed SJ 4/28/16)

Rep. Introne moved that the House concur and spoke in favor.

Motion adopted.

HB 1161, relative to the traffic safety commission. (Amendment printed SJ 4/21/16)

Rep. Steven Smith moved that the House concur and spoke in favor.

HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities. (Amendment printed SJ 4/28/16)

Rep. Major moved that the House concur and spoke in favor.

Motion adopted.

HB 114, establishing beer specialty licenses and relative to rectifiers. (Amendment printed SJ 5/5/16) Rep. Hunt moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Tucker and Abel.

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Amendment printed SJ 4/28/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Tucker, Biggie and Abel.

HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Amendment printed SJ 5/5/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, H. French and Williams.

HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Amendment printed SJ 4/21/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Infantine and Butler.

HB 605-FN, relative to mandatory minimum sentences. (Amendments printed SJ 4/28/16)

Rep. Tholl moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Tholl, DiSesa, Welch and Martin.

HB 1547-FN, prohibiting bestiality. (Amendment printed SJ 4/21/16)

Rep. Tholl moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Tholl, Welch, DiSesa and Cushing.

HB 1584-FN, relative to body-worn cameras for law enforcement officers. (Amendment printed SJ 4/28/16)

Reps. Tholl and Major moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Tholl, Cushing, Welch and DiSesa.

HB 1377, relative to receipt of absentee ballots. (Amendment printed SJ 4/28/16)

Rep. Hoelzel moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hoelzel, Gray, Souza and Cote.

HB 1193, relative to the wellness and primary prevention council and relative to certification of school nurses. (Amendment printed SJ 5/5/16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. LeBrun, B. French, Fothergill and MacKay.

HB 1301, relative to the issuance of youth employment certificates. (Amendment printed SJ 4/28/16) Rep. Infantine moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Hill, Flanagan, Ley and Infantine.

NONCONCURS WITH AMENDMENTS REQUESTS COMMITTEE OF CONFERENCE

SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

The President appointed Senators Reagan, Woodburn and Avard.

Reps. Hunt and Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Gidge, Hurt and Weyler.

SB 320, relative to non-academic surveys administered by a public school to its students.

The President appointed Senators Reagan, Avard and Watters.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Balcom, Cordelli and Shaw.

SB 203-FN, relative to review of eligibility for workers' compensation.

The President appointed Senators Bradley, Cataldo and Soucy.

Rep. Infantine moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Simmons, Infantine, Cahill and Seaworth.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 536, relative to emergency interim relief under the child protection act, removed by Rep. Brewster.

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities, removed by Rep. Brewster.

SB 305, including fermented pear juice in the definition of cider, removed by Rep. Hunt.

SB 403, relative to the sale of gift certificates with expiration dates, removed by Rep. Hunt.

SB 458-FN, relative to reporting by political committees, removed by Rep. Hoelzel.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty, removed by Rep. Proulx.

Consent Calendar adopted.

SB 404, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. INEXPEDIENT TO LEGISLATE.

Rep. Elizabeth Ferreira for Children and Family Law. This bill addresses the issue of changes made to parenting plans, particularly regarding the burden of proof for a divorced parent petitioning for the relocation of a child. The committee determined that this bill is unnecessary because the House recently passed HB 1280, which addresses modifications to parenting plans more broadly and comprehensively than this bill. Vote 12-0.

SB 437, establishing a commission to address child hunger in New Hampshire. OUGHT TO PASS WITH AMENDMENT.

Rep. James Gray for Children and Family Law. This bill, as amended, establishes a commission to address child hunger in New Hampshire. The commission shall review the current data, identify the causes for hunger affecting New Hampshire children and recommend corrective actions for ending child hunger. The amendment adds a member of the Children and Family Law Committee to the membership of the commission and specifies that the House members shall be appointed by the Speaker of the House. Vote 11-0.

Amendment (1676h)

Amend RSA 161:12, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Two members of the house of representatives, one of whom shall serve on the health, human services and elderly affairs committee or the children and family law committee, and one of whom shall serve on the finance committee, appointed by the speaker of the house of representatives.

SB 539, relative to access to records under the child protection act. OUGHT TO PASS.

Rep. Skip Berrien for Children and Family Law. This bill provides law enforcement access to a child's medical records held by the Division of Children, Youth and Families in the investigation of abuse, neglect and fatalities and other crimes against children. This bill includes extensive provisions to preserve confidentiality and to protect children from additional harm. Vote 13-1.

SB 300, revising banking, credit union, and trust laws. OUGHT TO PASS WITH AMENDMENT. Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill was requested by the Banking Department, primarily to insert language which was omitted by mistake when the laws were recodified last year with the adoption of SB 188. It also makes banking laws consistent with Secretary of State's laws relating to name registration, and updates a section reaffirming the rights of joint account holders. The committee amendment fixes two cross-references. Vote 20-0.

Amendment (1477h)

Amend the bill by inserting after section 11 the following and renumbering the original section 12 to read as 14:

12 State Treasurer; Investment of Funds. Amend RSA 6:8, I to read as follows:

I. All funds over which the state has exclusive control, aside from such sums of money as the treasurer may deem necessary to hold or deposit for meeting current expenses, shall be invested by the treasurer, with the approval of the governor and council, in obligations of the United States government, in obligations of any county government, municipal government, or district or division thereof within the state of New Hampshire, in obligations which are legal investments for depository banks pursuant to [RSA 383-B:3-301(e)] RSA 383-B:3-303, in participation units in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state.

13 Family Trust Company Act; Definitions. Amend RSA 383-D:2-201, (b)(12) to read as follows:

(12) "Required capital" means the amount of capital that a family trust company is required to maintain under RSA 383-D:6-602. [RSA 383-C:2-202(d) shall not apply for purposes of this chapter.]

AMENDED ANALYSIS

This bill:

I. Requires certain background checks where ownership of a trust company changes.

II. Defines "bank."

III. Requires approval by the banking commission for certain name changes.

IV. Amends the reference which specifies the legal investments for depository banks which may be used by the state treasurer.

V. Removes an obsolete reference from the definition of "required capital" in the Family Trust Company Act.

This bill is a request of the banking department.

SB 301, relative to the consumption of liquor at sports complexes. OUGHT TO PASS WITH AMENDMENT.

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill, as amended, will allow sports complexes, including college sporting complexes, to sell alcohol in designated areas. This bill was originally intended to allow alcohol sales at the UNH facility skyboxes. It was amended to allow sales in other areas of college stadiums. No sales will occur directly in the seating areas, but in well-defined and restricted areas to prevent underage drinking. The amendment also permits the Liquor Commission to issue licenses to wine manufacturers for no more than two tasting rooms. Vote 19-1.

Amendment (1604h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

Amend RSA 178:22, V(u)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The commission may issue a cocktail lounge license to the owner of a sports/entertainment complex, or any operator or designee contracting with the owner of the complex. Such license shall allow the sale or service of liquor and beverage in any clearly defined areas approved by the commission. Liquor and beverage shall be sold only at such times as a fee is charged for admission to an event at the sports/entertainment complex. Liquor and beverage shall not be sold or consumed in stadium or skybox seating at any [intercollegiate or] interscholastic event. The provisions of RSA 178:22, II shall not apply to this license.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Wine Manufacturer License. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors of legal drinking age at said premises may be provided with samples of wine manufactured on the premises for tasting. Samples may be provided either free or for a fee and shall be limited to one 2-ounce sample per label per person. The commission may issue additional licenses to a wine manufacturer to operate no more than 2 additional tasting rooms for both samples and retail sales of its own wine separate and apart from its manufacturing facility, subject to payment of an annual fee of \$420 for each location. Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

AMENDED ANALYSIS

This bill permits liquor and beverage sales and consumption in stadium or skybox seating at intercollegiate events at licensed sports/entertainment complexes. This bill also authorizes the wine manufacturer to conduct sampling and retail sales at locations other than its manufacturing facility.

SB 306, enabling the sampling of beer or wine at farmers' markets. OUGHT TO PASS. Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill will help grow our local wine and small beer industries by allowing local manufacturers to provide samples, either at a cost or free, at local farmers markets. A tasting area would be defined for each sampler. The committee believes this bill will help these industries increase their sales and grow their brands. Vote 20-0.

SB 308, relative to the definition of small loans and relative to certain fees on small loans. OUGHT TO PASS.

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill seeks to clarify in statute the definition of small loans. Ambiguity in the current law may be holding companies back from offering loan products, so this bill is important for improving the small loan market for consumers in New Hampshire. The bill also establishes a cap on application and/or participation fees at \$100, when they were formerly unlimited. Vote 20-0.

SB 401-FN, relative to insurance coverage for prescription eye drops. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill provides for insurance coverage for one early refill of prescription eye drops when such a prescription is a covered benefit under a person's health insurance plan. The committee recognizes that this is a new mandate and that over-utilization of any prescription medication increases the cost of health insurance premiums. However, this bill includes key criteria that must be met in order for an early refill of prescription eye drops to be covered by insurance. Importantly, these criteria include timeframes for dispensing early refills. The committee expects that the criteria will help address the concerns about over-utilization and over-prescribing while also addressing the unique circumstances that may cause a person to run out of prescription eye drops early. Vote 19-0.

SB 405, making changes to the limited liability companies statutes. OUGHT TO PASS WITH AMENDMENT.

Rep. Edward Butler for Commerce and Consumer Affairs. This bill provides important updates and improvements to New Hampshire's Limited Liability Company (LLC) Act that are designed to support and help small businesses in our state. These changes reflect best practices from around the country and real life experiences that have occurred since this legislature undertook and passed a comprehensive update of our LLC statutes four years ago. Many of the proposed

changes in the bill are of a technical nature and are intended to clarify language from the 2012 updates. This bill was reviewed by the Secretary of State who expressed no concerns with the proposed changes. As with our original updating of the LLC Act all of the provisions in this bill are merely "default" provisions that may be overridden by LLC members in their own operating agreements. While technical in nature, the bill is designed, as is the act itself, to be user-friendly and to maintain a high degree of contractual freedom to all LLCs in New Hampshire. The amendment, that was unanimously supported by the Commerce Committee, adds two sections that were inadvertently left out of the original version of the bill passed by the Senate. There are no revenue implications associated with the bill and it has no fiscal impact to the state. Vote 20-0.

Amendment (1839h)

Amend the bill by inserting after section 9 the following and renumbering the original section 10 to read as 12:

10 Document Filing; Signature. Amend RSA 304-C:28, V(c) to read as follows:

(c) If the limited liability company is in the hands of a receiver, executor, or other court

appointed fiduciary, trustee, or other fiduciary, by that fiduciary; or

(d) Unless the operating agreement provides otherwise, by any authorized person, including an attorney-in-fact. An authorization, including a power of attorney, need not be in writing, need not be sworn to, verified, or acknowledged, and need not be filed in the office of the secretary of state, but if in writing, must be retained by the limited liability company or authorized person.

11 New Subdivision; Domestications. Amend RSA 304-C by inserting after section 204 the

following new subdivision:

Domestications

304-C:205 Domestication.

I. A foreign limited liability company may become a domestic limited liability company only if the domestication is permitted by the organic law of the foreign limited liability company. The laws of New Hampshire shall govern the effect of domesticating in New Hampshire pursuant to RSA 304-C:205 through RSA 304-C:210.

II. A domestic limited liability company may become a foreign limited liability company if the domestication is permitted by the laws of the foreign jurisdiction. Regardless of whether the laws of the foreign jurisdiction require the adoption of a plan of domestication, the domestication shall be approved by the adoption by the domestic limited liability company of a plan of domestication in the manner provided in this subdivision. The laws of the foreign jurisdiction shall govern the effect of domesticating in that jurisdiction.

III. The plan of domestication adopted by a domestic limited liability company shall include:

(a) A statement of the jurisdiction in which the limited liability company is to be domesticated;

(b) The terms and conditions of the domestication;

(c) The manner and basis of reclassifying the membership rights of the limited liability company following its domestication into membership rights or other securities, obligations, rights to acquire membership rights or other securities, cash, other property, or any combination of the foregoing; and

(d) Any desired amendments to the certificate of formation or equivalent foreign statutory document (for purposes of this subdivision, the "certificate of formation") of the limited liability company following its domestication. The plan of domestication may include any other provision

relating to the domestication that may be desired.

IV. The plan of domestication may include a provision that the plan may be amended prior to filing the document required by the laws of this state or the other jurisdiction to consummate the domestication, except that subsequent to approval of the plan by the members, the plan may not be amended to change:

(a) The amount or kind of membership rights or other securities, obligations, rights to acquire membership rights or other securities, cash, or other property to be received by the members under

the plan:

(b) The certificate of formation or operating agreement, as they will be in effect immediately following the domestication, except for changes permitted by RSA 304-C:35, II or by comparable provisions of the laws of the other jurisdiction; or

(c) Any of the other terms or conditions of the plan if the change would adversely affect any of the membership rights in any material respect.

V. Terms of a plan of domestication may be made dependent upon facts objectively ascertainable outside the plan in accordance with the principles set forth in RSA 293-A:1.20(j).

VI. If any debt security, note, or similar evidence of indebtedness for money borrowed, whether secured or unsecured, or a contract of any kind, issued, incurred, or signed by a domestic limited liability company contains a provision applying to a merger of the limited liability company and the document does not refer to a domestication of the limited liability company, then the provision shall be deemed to apply to a domestication of the limited liability company until such time as the provision is amended subsequent to that date.

VII. An operating agreement of a domestic limited liability company may provide that decisions by the members relating to the limited liability company's domestications are reserved to specified

members or managers.

304-C:206 Action on a Plan of Domestication.

I. In the case of a domestication of a domestic limited liability company in a foreign jurisdiction:

- (a) If the approval of the members is to be given at a meeting, the limited liability company must notify each member, whether or not entitled to vote, of the meeting of members at which the plan of domestication is to be submitted for approval. The notice must state that the purpose, or one of the purposes, of the meeting is to consider the plan and must contain or be accompanied by a copy or summary of the plan. The notice shall include or be accompanied by a copy of the limited liability company's certificate of formation and operating agreement as they will be in effect immediately after the domestication.
- (b) Unless the operating agreement of the limited liability company requires a greater vote or a greater number of votes to be present, approval of the plan of domestication requires the approval of each voting group entitled to vote separately on the plan by a majority of all the votes entitled to be cast on the plan by that voting group.
- (c) Separate voting by voting groups is required by each class or series of membership rights that:
- (1) Are to be reclassified under the plan of domestication into other securities, obligations, rights to acquire membership rights or other securities, cash, other property, or any combination of the foregoing;
- (2) Would be entitled to vote as a separate group on a provision of the plan that, if contained in a proposed amendment to the certificate of formation or operating agreement, would require action by separate voting groups; or

(3) Is entitled under the certificate of formation or operating agreement to vote as a voting group to approve an amendment of the certificate of formation or operating agreement.

II. If any provision of the certificate of formation or operating agreement adopted or entered into applies to a merger of the limited liability company and that document does not refer to a domestication of the limited liability company, the provision shall be deemed to apply to a domestication of the limited liability company until such time as the provision is amended subsequent to that date.

304-C:207 Articles of Domestication.

- I. After the domestication of a foreign limited liability company has been authorized as required by the laws of the foreign jurisdiction, articles of domestication shall be signed by any member or other duly authorized representative of the limited liability company. The articles shall set forth:
- (a) The name of the limited liability company immediately before the filing of the articles of domestication and, if that name is unavailable for use in this state or if the limited liability company desires to change its name in connection with the domestication, a name that satisfies the requirements of RSA 304-C:32;
- (b) The jurisdiction of formation of the limited liability company immediately before the filing of the articles of domestication and the date the limited liability company was formed in that jurisdiction; and
- (c) A statement that the domestication of the limited liability company in this state was duly authorized as required by the laws of the jurisdiction in which the limited liability company was formed immediately before its domestication in this state.
 - II. The articles of domestication shall have an attached certificate of formation.

III. The articles of domestication with the certificate of formation shall be delivered to the secretary of state for filing, and shall take effect at the effective time provided in RSA 304-C:29.

IV. If the foreign limited liability company was authorized to transact business in this state under RSA 304-C:174 and RSA 304-C:175, then its certificate of authority shall be canceled automatically on the effective date of its domestication in the foreign state.

304-C:208 Surrender of Charter Upon Domestication.

- I. Whenever a domestic limited liability company has adopted and approved, in the manner required by this subdivision, a plan of domestication providing for the limited liability company to be domesticated in a foreign jurisdiction, articles of charter surrender shall be signed on behalf of the limited liability company by any member or other duly authorized representative. The articles of charter surrender shall set forth:
 - (a) The name of the limited liability company;
- (b) A statement that the articles of charter surrender are being filed in connection with the domestication of the limited liability company in a foreign jurisdiction;
- (c) A statement that the domestication was duly approved by the members and, if voting by any separate voting group was required, by each such separate voting group, in the manner required by this chapter and by the certificate of formation and operating agreement; and

(d) The limited liability company's new jurisdiction of formation.

II. The articles of charter surrender shall be delivered by the limited liability company to the secretary of state for filing. The articles of charter surrender shall take effect on the effective time provided in RSA 304-C:29.

304-C:209 Effect of Domestication.

- I. When a domestication of a foreign limited liability company in New Hampshire becomes effective:
- (a) The title to all real and personal property, both tangible and intangible, of the limited liability company remains in the limited liability company without reversion or impairment and the domestication shall not be deemed to give rise to any transfer of real or personal property;
- (b) The liabilities of the limited liability company remain the liabilities of the limited liability company;
- (c) An action or proceeding pending against the limited liability company continues against the limited liability company as if the domestication had not occurred;
- (d) The articles of domestication, or the certificate of formation and operating agreement attached to the articles of domestication, constitute the certificate of formation and operating agreement of a foreign limited liability company domesticating in this state;
- (e) The membership rights of the limited liability company are reclassified into other membership rights, other securities, obligations, rights to acquire membership rights, or other securities of the limited liability company, or into cash or other property in accordance with the terms of the domestication as approved under the laws of the foreign jurisdiction, and the members are entitled only to the rights provided by those terms and under those laws; and
 - (f) The limited liability company is deemed to:
 - (1) Be formed under and subject to the organic law of this state for all purposes;
- (2) Be the same limited liability company without interruption as the limited liability company that existed under the laws of the foreign jurisdiction; and
 - (3) Have been formed on the date it was originally formed in the foreign jurisdiction.
- II. When a domestication of a domestic limited liability company in a foreign jurisdiction becomes effective, the foreign limited liability company is deemed to:
- (a) Appoint the secretary of state as its agent for service of process in a proceeding to enforce the rights of members who exercise appraisal rights in connection with the domestication; and
- (b) Agree that it will promptly pay the amount, if any, to which such members are entitled under RSA 304-C:160 through RSA 304-C:172.
- III. The domestication of a domestic limited liability company as a foreign limited liability company shall not be deemed to give rise to any transfer of real or personal property.
- IV. The owner liability of a member in a foreign limited liability company that is domesticated in this state shall be as follows:
- (a) The domestication does not discharge any owner liability under the laws of the foreign jurisdiction to the extent any such owner liability arose before the effective time of the articles of domestication.

- (b) The member shall not have owner liability under the laws of the foreign jurisdiction for any debt, obligation, or liability of the limited liability company that arises after the effective time of the articles of domestication.
- (c) The provisions of the laws of the foreign jurisdiction shall continue to apply to the collection or discharge of any owner liability preserved by subparagraph (a), as if the domestication had not occurred.
- (d) The member shall have whatever rights of contribution from other members as are provided by the laws of the foreign jurisdiction with respect to any owner liability preserved by subparagraph (a), as if the domestication had not occurred.

304-C:210 Abandonment of a Domestication.

- I. Unless otherwise provided in a plan of domestication of a domestic limited liability company, after the plan has been adopted and approved as required by this subdivision, and at any time before the domestication has become effective, it may be abandoned by the members.
- II. If a domestication is abandoned under paragraph I after articles of charter surrender have been filed with the secretary of state but before the domestication has become effective, a statement that the domestication has been abandoned in accordance with this section, signed by a member or other duly authorized representative, shall be delivered to the secretary of state for filing prior to the effective date of the domestication with the fee, if any, required under RSA 304-C:191. The statement shall take effect upon filing and the domestication shall be deemed abandoned and shall not become effective.
- III. If the domestication of a foreign limited liability company in this state is abandoned in accordance with the laws of the foreign jurisdiction after articles of domestication have been filed with the secretary of state, a statement that the domestication has been abandoned, signed by a member or other duly authorized representative, shall be delivered to the secretary of state for filing. The statement shall take effect upon filing and the domestication shall be deemed abandoned and shall not become effective.

SB 417, relative to employment contract restrictions upon physicians. OUGHT TO PASS.

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill was referred for a second hearing to the House Commerce and Consumer Affairs Committee after receiving unanimous support from the Health, Human Services and Elderly Affairs Committee and passage on the Consent Calendar on April 20, 2016. This bill would prohibit the inclusion in an employment contract of any contract term restricting the right of a physician from practicing medicine "in any geographic area for any period of time" after termination of employment or termination of a professional relationship. Geographic restrictions in physician employment contracts significantly diminish the integrity of the patient-provider relationship and undermine physician autonomy. While not all hospital systems utilize these restrictions when contracting with physicians, the committee strongly supports the elimination of these restrictions as such elimination is squarely in the public interest. Vote 19-1.

SB 431, relative to data submission by insurers. OUGHT TO PASS WITH AMENDMENT.

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill as amended is to clarify health claims data reporting requirements following the US Supreme Court's decision in Goebeille v. Liberty Mutual. Since 2003 NH Law has required the reporting of claims data by health insurers and third-party administrators for NH residents, including for self-funded employer plans. NH law has always required that the data be encrypted before reporting, so no personally identifiable information is included. The database has been used for many beneficial purposes including health cost transparency and the nationally-acclaimed HealthCost website operated by the NH Insurance Department, where consumers and employers can compare the cost of having a medical procedure performed at different service locations, depending on their insurance carrier. The US Supreme Court ruled on March 1, 2016, that states are preempted from requiring reporting of data for self-funded private employer plans. The bill as amended clarified that the reporting requirement remains in place for plans not affected by the decision, and it also creates an opt-in process for self-funded employers to choose to have their data included. This will enable the state to continue its health cost transparency initiative. Vote 18-1.

Amendment (1583h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. The purpose of this act is to clarify the applicability of existing New Hampshire statutory requirements in light of the United States Supreme Court decision in *Gobeille v. Liberty Mutual*, and to create a mechanism whereby self-funded employers affected by that decision may choose to have their claims data included in their claims administrator's submission to the New Hampshire comprehensive

health information system. The data submission requirements of RSA 420-G:11, IV and V as inserted by section 2 of this act are intended to facilitate the proper functioning of insurance markets and to benefit insured consumers and employers through price transparency that will increase competition and enable all consumers and employers to make informed and cost-effective health care choices. Such market transparency, as a form of insurance regulation, is intended to enhance and optimize market conditions affecting the risk pooling arrangements between insurers and insureds.

2 New Paragraphs; Disclosures by Health Carriers, Third Party Administrators, and Other Insurance Entities. Amend RSA 420-G:11 by inserting after paragraph III the following new paragraphs:

IV. The data submission requirements of paragraphs II and II-a shall apply with respect to claims data for all lives covered by a fully-insured health plan in any market in the state, by any self-funded plan for state or municipal employees, including any plan maintained under RSA 5-B, to any self-funded plan maintained by the university system of the state with respect to its employees or its students, and to any self-funded student health benefit plan maintained by an institution of higher education which provides 4-year bachelor's degree programs and graduate or professional degree programs.

V. In addition to those lives listed in paragraph IV, the data submission requirements of paragraphs II and II-a shall also apply to all health carriers, licensed third party administrators, and any entity required to be registered with the commissioner pursuant to RSA 402-H with respect to claims data for all lives covered by any other self-funded employer-sponsored plan, when the employer has opted in writing to the submission of the data. The carrier or administrator shall notify the employer of the employer's option to authorize submission of the data. The commissioner shall adopt rules under RSA 541-A specifying the form of such opt in, which shall include, but not be limited to, notice to the employer regarding why it is receiving the notification form, the privacy protections for the data submitted should the employer choose to opt in, and the transparency benefits, including benefits to employers, of broad inclusion of as many lives as possible in the database created under RSA 420-G:11-a. Nothing in this paragraph shall be construed to impose any reporting obligation on any self-funded employer or plan sponsor, or to impose any requirement with respect to the manner in which any such self-funded plan is administered. Nothing in this paragraph shall prevent a health carrier or third party administrator from communicating its views to an employer about the employer's decision whether to opt in to the submission of claims data.

3 Effective Date. This act shall take effect upon its passage.

SB 432, relative to itemized bills for medical services. REFER FOR INTERIM STUDY.

Rep. Edward Butler for Commerce and Consumer Affairs. The issue of how to bill for health care services so that consumers can understand the bill and the health care service provider – hospital, clinic, practitioner, private practice – can receive the necessary reimbursement for services rendered continues to be of concern. Hospital bills, especially, are complicated and may use Current Procedural Terminology (CPT) codes. Bills can sometimes reflect what seem to be an outlandish cost for simple procedures or components of care. The committee recommends that this bill be referred for Interim Study because the Hospital Association and the Medical Society will be conducting pilot programs to look at different models of billing, for transparency and clarity. The committee does not believe that this bill as currently constructed achieves those goals. We will follow the work of these pilot programs and determine whether further legislation can be recommended that will provide the clarity needed by consumers in billing statements. Vote 17-2.

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol. INEXPEDIENT TO LEGISLATE.

Rep. Pamela Tucker for Commerce and Consumer Affairs. The majority of the committee felt this bill, while well intentioned, was too broadbased in banning possession of powdered or crystalline alcohol. The Liquor Commission already has the authority to not allow the sales of these products in the state. A new ban on the possession of powdered alcohol would be difficult to enforce. Vote 19-1.

SB 379, relative to additional tests to determine alcohol concentration. OUGHT TO PASS WITH AMENDMENT.

Rep. John Tholl for Criminal Justice and Public Safety. The Intoxilizer 5000 machines that are in current use are obsolete. They are no longer manufactured nor are there any spare parts available. The company that is the sole manufacturer of the second sample tubes has ceased manufacturing the tubes and there are no machines produced that allow for the preservation of a second sample of breath. The newer-technology machines are several generations improved from the machines in current use and provide a better means of determining the alcohol content of a person's blood. This

bill as amended allows for the replacement of the current antiquated machines while still preserving the ability of the person arrested to obtain a timely (within 2 hours) sample of their blood for testing at their own expense. The committee feels very strongly that this is an important step forward as evidenced by its bipartisan, unanimous vote. Vote 17-0.

Amendment (1774h)

Amend the bill by inserting after the enacting clause the following and renumbering the original section 1-4 to read as 2-5, respectively:

1 Statement of Findings. The general court finds that:

I. The state of New Hampshire currently uses Intoxilyzer 5000 EN instruments for the purpose of testing the breath alcohol content of individuals who are suspected of driving while impaired.

II. The Intoxilyzer 5000 EN allows the test administrator to obtain 2 breath samples, which are analyzed by the instrument. After each sample is analyzed, it is then captured (preserved an additional sample). This additional sample is then provided to the person being tested, for independent analysis if the person so choses.

III. The New Hampshire supreme court held, in *State v. Cornelius*, 122 N.H. 925 (1982), that due process required the state to take and preserve an additional breath sample for independent testing.

IV. In 2010, the legislature sought an opinion from the New Hampshire supreme court as to whether then-pending legislation to eliminate the requirement that an additional breath sample be preserved for independent testing tests would violate due process. In a divided opinion, the majority of the court, in *Opinion on the Justices (Eliminating Requirement for Additional Breath Test Samples)*, 160 N.H. 180 (2010) held that it would. The court noted that while it "recognize[d] that technological advances may well obviate the need to capture and preserve a second breath sample,... no legislative findings have been rendered in that regard." It also observed that "in light of the apparent absence of realistic access to additional testing, we are reluctant to conclude that the proposed breath testing is substantially without risk of error."

V. The Intoxilyzer 5000 EN has not been manufactured since 2013. Replacement parts are no longer available, including RAM time keeper chips, photo interrupters, IR filters from the same manufacturer, vacuum fluorescent displays, and EPROMs, all of which are critical to the accurate functioning of the testing instrument.

VI. New Hampshire is the only state in the nation (and only place in the world) that continues to use the Intoxilyzer 5000 EN for preserving an additional sample.

VII. The models of breath testing instruments currently being manufactured employ a far more technologically sophisticated analytical process. While a properly functioning, calibrated intoxilyzer 5000 EN produces accurate results, the degree of confidence one can have in the accuracy of the results from one of the newer instruments is substantially enhanced by the more sophisticated analytical process.

VIII. There are no longer any modern models of breath alcohol instruments that are designed to capture additional breath samples.

IX. The legislature finds that technological advances and the changes in testing protocols since the *Cornelius* decision have now obviated the need to capture and preserve a second breath sample, and that the accuracy of the currently available technology substantially eliminates any risk of error. Amend RSA 265-A:7, III as inserted by section 2 of the bill by replacing it with the following:

[H.] III. [The] A sample [or samples] of breath taken pursuant to [RSA 265-A:4] paragraph I shall be [captured in an appropriate medium approved] analyzed in accordance with rules adopted by the commissioner of the department of safety pursuant to RSA 265-A:5, V[, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to 265-A:4. The captured sample or samples shall be given to the respondent in a manner determined by the commissioner of the department of safety]. A subject who submits to an infrared molecular absorption test at the request of a law enforcement officer shall have the right at his or her own expense to have a blood sample drawn and a blood test made by a person of his or her own choosing who is competent to conduct the tests, as determined by the commissioner of the department of safety under RSA 265-A:5. The person shall be so informed by the law enforcement officer at the same time as the person is requested to permit a test under the provisions of RSA 265-A:4. At that same time the person shall also be provided contact information for individuals and the nearest facilities that make themselves available to draw and test blood. The individuals listed, by virtue of their residence or work location, should have a reasonable probability of performing the blood draw within 2 hours of the initial breath sample having been taken by the police. The failure or

inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of a law enforcement officer, authorized agent, or peace officer. Nothing in this paragraph shall require the release from custody of the arrested person for the purpose of having such additional test taken, however, an arrested person who remains in custody shall be permitted to have his or her blood drawn by a person who has been determined to be competent by the commissioner of the department of safety under RSA 265-A:5.

SB 391, relative to annulment of certain misdemeanor offenses. OUGHT TO PASS WITH AMENDMENT.

Rep. Arthur Barnes for Criminal Justice and Public Safety. During the 2015 session the legislature passed HB 305 which allowed a certain class of persons convicted of a crime which occurred between May 14, 2014 and July 1, 2015 while the person was 17 years of age to petition the court for an annulment. The law so-created ended up in session law where it is difficult to find. This bill as amended moves that law into RSA 651 where it will be easy to find. Vote 18-0.

Amendment (1300h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 New Section; Annulment of Criminal Records; Offenses Occurring Between May 14, 2014 and July 1, 2015. Amend RSA 651 by inserting after section 5 the following new section:

651:5-a Annulment of Criminal Record Based on Conduct Occurring Between May 14, 2014 and July 1, 2015. Notwithstanding RSA 651:5, any person convicted of a criminal offense which occurred between May 14, 2014 and July 1, 2015, and while the person was 17 years of age, shall be entitled to an annulment of such conviction upon petition to the court. An annulment petition brought under this section shall not be subject to any filing fee, and shall only be brought following the expiration of any sentence imposed by the court. An annulment petition brought under this section may be denied only upon a written finding by the court, based on clear and convincing evidence, that the subject offense would have qualified for transfer to the superior court pursuant to RSA 169-B:24 and that the prosecution would have pursued such a transfer. This section shall not apply to any offense which may be prosecuted as an adult criminal offense after July 1, 2015 against persons who have not yet reached 18 years of age.

3 Repeal. 2015; 260:3, relative to annulment of a criminal conviction based on an offense that occurred between May 14, 2014 and July 1, 2015 while the person was 17 years of age, is repealed.

AMENDED ANALYSIS

This bill amends the waiting period for petitioning for the annulment of a misdemeanor marijuana or hashish offense. The bill also permits the annulment of a conviction based on conduct that occurred between May 14, 2014 and July 1, 2015, and while the person was 17 years of age, and repeals a session law on the same subject contained in HB 305 of the 2015 legislative session.

SB 394, relative to criminal history record checks of nursing home administrators. OUGHT TO PASS. Rep. John Martin for Criminal Justice and Public Safety. This bill requires every applicant for an initial or reciprocity license or reinstatement to authorize and submit to a criminal history background check. This is a necessary step to protect the most vulnerable of our citizens, nursing home residents who may be totally dependent on the facility for their medical, emotional and financial care, and, in many cases, rely on the facility, in the absence of family, to see to their needs. The nursing home administrator is in a unique position of trust when it comes to seeing to the needs and protecting the interests of those committed to his or her charge. A background check only serves as a tool to help protect those residents. Vote 17-0.

SB 544, establishing a committee to study funding options for the Internet crimes against children task force. OUGHT TO PASS.

Rep. Arthur Barnes for Criminal Justice and Public Safety. The Internet Crimes Against Children Task Force is currently administrated by the Portsmouth Police Department. It is federally funded and used by 90 law enforcement agencies throughout NH to forensically recover evidence from

electronic devices to assist prosecutions of internet crimes against children. There is a concern that the federal funds may dry up and this committee will conduct a study and make recommendations for legislation in the next session should that happen. Vote 18-0.

SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is the work product of a study commission convened to address a deleterious loophole in RSA 99-D. Certain state employees who are professional license holders were being subjected to largely nuisance lawsuits of a retaliatory nature arising out of, and in conjunction with, the performance of their duties as state employees. Although defended and indemnified in that capacity by the State of New Hampshire, they were not protected from the aforesaid harassment lawsuits in their status as professional license holders; and they were regularly required to engage outside counsel, with the concomitant costs thereof, to defend themselves before their licensing boards, and the like. This bill corrects that inequity by expanding the defense and indemnification provisions of RSA 99-D. The committee amendment merely repeals the now superfluous commission to study this issue. Vote 14-1.

Amendment (1236h)

Amend the title of the bill by replacing it with the following:

AN ACT expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Repeal. RSA 99-D:10, relative to the commission to study expansion of defense and indemnification rights to certain state employees, is repealed.

AMENDED ANALYSIS

This bill expands the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies. This bill also repeals the commission to study the expansion of defense and indemnification rights to certain state employees.

SB 329, revising the nurse licensure compact. OUGHT TO PASS WITH AMENDMENT.

Rep. Mark Proulx for Executive Departments and Administration. The Nurse Licensure Compact Law was adopted in New Hampshire in 2004. The compact makes it easier for nurses to practice across state lines by eliminating the need for duplicate licenses in states that have agreed to uniform standards for licensure. Currently, 39 states have joined the compact and others are considering joining. This bill adopts the revised model act for the Nurse Licensure Compact. The amendment clarifies that nurses who are licensed in another state and working in NH under the compact are not included in the definition of 'medical technician.' Vote 15-0.

Amendment (1242h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4: 3 Registration of Medical Technicians; Definition. Amend RSA 328-I:1, VI to read as follows:

VI. "Medical technician" means a health care worker who is not licensed or registered by a New Hampshire regulatory board and who assists licensed health care professionals in the diagnosis, treatment, and prevention of disease. "Medical technician" shall not include a nurse licensed in another state who is working in New Hampshire under the nurse licensure compact established in RSA 326-B:46. For the purposes of this chapter, medical technicians shall be limited to health care workers with access to controlled substances and with access to or contact with patients in a health care facility or in a medical establishment.

AMENDED ANALYSIS

This bill adopts the revised model act for the nurse licensure compact under RSA 326-B:46. The bill also inserts a clarification in the definition of a medical technician under RSA 328-I for nurses working in New Hampshire under the nurse licensure compact.

SB 424-FN, relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors. OUGHT TO PASS WITH AMENDMENT.

Rep. Peter Schmidt for Executive Departments and Administration. This bill, with the amendment, is the work product of a subcommittee process involving knowledgeable stakeholders and agency personnel, public and private. It addresses a particular aspect of the present opioid crisis in NH, namely the shortage of trained counselors to support and help treat individuals dealing with substance abuse, especially those suffering from co-occurring disorders. It facilitates attracting trained counselors from outside NH, enabling them to rapidly engage with our citizens, while advancing their professional credentials. Further, it reduces the current license fee from \$300 to \$240, as this was determined to both be a barrier to attracting outside candidates, and in excess of board funding requirements. Vote 15-0.

Amendment (1556h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-C:21 to read as follows:
 - 330-C:21 Applicants From Other States.
- I. The board may license or issue a certification to any applicant who is licensed or certified in any other state, provided the other state's requirements are substantially equivalent to or more stringent than those of this state.
- II. The board may license or issue a certification to any applicant who is licensed or certified in any other state if the other state's requirements are not substantially equivalent to those of this state solely because the applicant has obtained a master's degree in a discipline described in RSA 330-C:16, I(a) which is less than a 60-hour degree. An individual licensed under this paragraph shall:
- (a) Complete the necessary additional hours of course work in co-occurring disorders pursuant to standards established by the board within 5 years from the effective date of licensure or certification;
- (b) Have completed 3,000 hours of clinically supervised work experience in the treatment of substance use and co-occurring disorders. These hours may be completed after the applicant has been issued the master's degree. Up to 1,500 hours of clinically supervised work experience accumulated by the applicant during his or her practice as a LADC may be counted toward the required 3,000 hours. In addition, a current license issued by the board of mental health practice may be substituted for 1,500 hours of the required 3,000 hours of clinically supervised work experience;
 - (c) Conduct his or her practice as an MLADC in full compliance with RSA 330-C:10; and
- (d) Notify the board in writing that he or she has completed the requirements in sub-paragraph (a).
- III. If an individual licensed under paragraph II does not satisfy the requirements of subparagraph II(a) within 5 years of initial licensure or certification, the board shall not renew the individual's MLADC license but shall, if the individual meets all the requirements for licensure as a LADC, issue a LADC license to the individual.
- IV. The board may waive provisions of this chapter requiring supervised work experience and practical training and grant a license as a licensed alcohol and drug counselor or master licensed alcohol and drug counselor to any applicant who presents proof of active licensed practice in another jurisdiction of the United States for a period of 10 years or more.
 - 2 Alcohol and Other Drug Use Professionals; Fees. Amend RSA 330-C:8, I as follows:
- I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors, and certified recovery support workers a \$110 fee for the issuance of an initial license or certificate, and \$110 for the renewal of a license or certificate under this chapter. The fee for a master licensed alcohol and drug counselor shall be [\$300] \$240 and the renewal fee shall be [\$300] \$240. All licenses shall be renewed biennially on or before June 30 upon payment of the license renewal fee. In addition the board shall establish by rule fees for license and certificate applications, late renewal, and reinstatement of all licenses and certifications authorized by this chapter.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill allows alcohol and drug use professionals from other states to be licensed by the board of mental health practice in New Hampshire if they complete certain course work and clinical work within 5 years of licensure or have 10 or more years of experience. The bill also reduces the fee for licensure as a master licensed alcohol and drug counselor.

SB 489, authorizing a demonstration project using a Stirling engine system. OUGHT TO PASS. Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended by the House after the review of the first committee, would allow the Department of Administrative Services (DAS) to work with an outside company to install and test a prototype electrical generator powered by a Stirling engine. The committee heard about a building in Manchester where this is already taking place and felt that by allowing one of the state's buildings to be hooked up to one of these NH-designed and developed generators, we would go a long way towards showing that NH is a business friendly place. Everyone who testified was in favor of the bill. The costs for the installation, demonstration and removal will be completely borne by the outside firm. The electrical power and heat generated by this prototype will be provided to the state at less than or equal to the current market cost for those items. The committee did hear from DAS and they did not have any logistical issues with the proposal. The committee felt that this was a very positive way to showcase the research and development that is going on in NH. The only potential cost will relate to staff time required to issue the RFP and reviewing responses. The committee clearly thought that this was a way to leverage for a very small labor investment the chance for long-term business tax revenue from helping grow another company in NH. Vote 15-0.

SB 302-FN-A, making an appropriation to the department of safety for disaster and emergency response preparedness. INEXPEDIENT TO LEGISLATE.

Rep. David Danielson for Finance. This bill would have reopened the budget. Had the bill passed it would have resulted in the lay-off of one position because this bill sought to eliminate the approved transfer of renewable fund energy revenue to the Department of Safety's Division of Homeland Security. It would replace the revenue transfer with a general fund appropriation in FY 2016 (\$745,119) and FY 2017 (\$1,553,015). The expenditures of the Public Utilities Commission would expect an increase of \$720,000 in FY 2016 and \$1,500,000 in FY 2017 and each succeeding year thereafter. The committee felt that it would be unwise to reopen the budget for such transfers. Vote 26-0.

SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation. **OUGHT TO PASS**.

Rep. Kenneth Weyler for Finance. In 2012 a police officer was shot multiple times and survived. Because all his wounds were soft tissue injury, workers' compensation insurance did not cover the medical care. A commission was formed to work on this problem. The commission recommended up to \$500,000 with a cap of \$125,000 per person. The funding expires in June 2016. This bill extends the funding for one year and appoints a committee to study this issue for further action. The officer, for whom the bill was originated, is still undergoing treatment. The Finance Committee agreed with the policy, and saw no reason to change the bill. Vote 26-0.

SB 420-FN, relative to aid to the permanently and totally disabled. OUGHT TO PASS.

Rep. Cindy Rosenwald for Finance. This bill is a request of the Department of Health and Human Services. It is needed to clarify eligibility for cash assistance under the state's Aid to the Permanently and Totally Disabled cash assistance program relative to federal cash assistance. It enables the department to adopt rules necessary to bring the state into compliance with a Supreme Court decision. It is expected to save the state a small amount of money as the department's eligibility determinations will be upheld more frequently. Vote 26-0.

SB 444-FN, relative to lottery retailer incentive awards. OUGHT TO PASS WITH AMENDMENT. Rep. Karen Umberger for Finance. Lottery sales are a competitive market, not only locally, but state-to-state. When a retailer sells a winning ticket for PowerBall, Megabucks, or Lucky-for-Life, the retailer receives \$30,000. Other states pay much more. To be more competitive, this bill would make the amount for selling the winning ticket increase to \$75,000. Although this is a large increase, it is very unlikely to be paid more often than every 10 years or more. Vote 22-4.

Amendment (1814h)

Amend RSA 284:21-s as inserted by section 1 of the bill by replacing it with the following:

284:21-s Incentive Awards for Ticket Sellers. The lottery commission is authorized to pay cash incentives, at a rate established by the commission but not to exceed [\$30,000] \$75,000 for a [jackpot] winning ticket, [or not to exceed \$500 for each incidence of meeting or exceeding lottery commission established sales goals,] as an inducement to [servants] employees and agents authorized to sell tickets pursuant to RSA 284:21-h, II(d).

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Mary Jane Wallner for Finance. The bill requires Medicaid coverage of medically-necessary home health care services to be provided to older adults and persons with disability at their residence and adds in any non-institutional setting in which normal life activities take place. The committee amendment removed an unnecessary requirement for approval by the Federal Centers for Medicare and Medicaid services. Vote 26-0.

Amendment (1593h)

Amend RSA 161-N:3 as inserted by section 1 of the bill by replacing it with the following:

161-N:3 Home Health Care Services Location. Medicaid coverage of medically-necessary home health care services shall be available to Medicaid recipients at their residences and in any non-institutional setting in which normal life activities take place.

Amend RSA 161-N:4, I as inserted by section 1 of the bill by replacing it with the following:

I. Further definition of home health care services under RSA 161-N:3.

SB 496-FN, relative to personal care attendant services. OUGHT TO PASS WITH AMENDMENT. Rep. Betsy McKinney for Finance. This bill, as previously passed by the House, expanded personal care services for severely physically disabled persons to any location in which normal life activities occur. The committee amended the bill to ensure that the number of hours for which these services are provided remains unchanged from current levels. Vote 26-0.

Amendment (1679h)

Amend the bill by replacing section 1 and 2 with the following:

1 Personal Care for the Severely Physically Disabled; Definitions. Amend RSA 161-E:1, III to read as follows:

III. "Severely physically disabled person" shall mean an *adult* individual *over the age of 18* who has been approved to participate in an independent living program and who requires a minimum of 2 hours of medically [oriented] necessary personal care per day in order to maintain himself or herself in a noninstitutional setting. Such care may include [hands-on] assistance in the following areas: basic personal care and grooming, assistance with bladder and bowel care, assistance with medications, assistance with nutrition including meal preparation and essential household services.

2 Personal Care for the Severely Physically Disabled; Personal Care Attendant Services Program. Amend RSA 161-E:2 to read as follows:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide [on a periodic basis] medically [oriented] necessary long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. Personal care services under this chapter may be delivered in noninstitutional locations in which normal life activities occur. Personal care services shall be those numbers of hours of service which a severely physically disabled person would be approved to receive if the services were provided exclusively at home, school, or work.

AMENDED ANALYSIS

This bill clarifies the definition of a severely physically disabled person and allows access to the community for such persons under the law governing personal care for the severely physically disabled.

SB 500-FN, relative to student health insurance plans. OUGHT TO PASS.

Rep. Peter Spanos for Finance. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue

to operate student health insurance plans on a self-funded basis. This is necessary because of changes to the federal health care laws. Both institutions have been operating such plans for several years, and these plans offer health insurance at a lower cost than the Affordable Care Act (ACA) marketplace because the population found in the institutions is young and relatively healthy. As a result these plans save college students money and provide health care mandated under the ACA. However, now that the federal health care laws have changed, the institutions will be forced to cease offering the plans and to close their on campus health centers where students can be seen unless the New Hampshire Insurance Department collaborates with them and this provides the federally mandated oversight. Since these plans offer a much lower cost option to obtaining health insurance mandated under the ACA, the institutions requested assistance from the New Hampshire Insurance Department. The majority of the committee felt that this helped lower overall college costs and provided more than adequate health coverage at a reasonable cost to people who attend these institutions. Vote 26-0.

SB 384, relative to the feeding of wild deer. OUGHT TO PASS WITH AMENDMENT.

Rep. Jonathan Manley for Fish and Game and Marine Resources. This bill, as amended, allows the Department of Fish and Game to provide critical educational materials to businesses and establishments that sell wild animal feed regarding the dangers to deer health if they are fed certain foods at certain times of the year. The businesses and establishments may then pass the information along to their customers. The amendment removes from the bill the prohibition on feeding deer foods that are determined by the department to be detrimental to their health and the requirement that feed for wild deer be labeled "Feeding wild deer could be harmful or fatal to their health." The amendment also makes the distribution of the educational materials by the department to businesses and establishments optional, as well as the subsequent passing of the information along to customers. Vote 15-0.

Amendment (1522h)

Amend RSA 208:8-b as inserted by section 1 of the bill by replacing it with the following:

208:8-b Feeding of Wild Deer. The fish and game department may provide informational materials concerning the harmful or fatal feeding of wild deer to businesses and establishments in this state which sell or offer for sale wild animal feed. Any such business or establishment may provide the informational materials to persons purchasing wild animal feed.

AMENDED ANALYSIS

The bill authorizes the fish and game department to distribute informational materials on the feeding of wild deer.

SB 127-FN, relative to the appointment of special Medicaid representatives. OUGHT TO PASS WITH AMENDMENT.

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The purpose of this bill is to expedite the filing of an application for Medicaid in those cases where the resident or patient of a nursing home or hospital has not paid for his or her care and not filed an application for Medicaid. In most cases, the resident or patient lacks the ability to independently process an application for Medicaid and their family member or attorney has failed to assist in the process. The result is that the cost of care may be substantial to those institutions where delays in filing present a severe financial impact on those institutions rendering patient services. The original bill was substantially modified in subcommittee to address issues including: approval by the Centers for Medicare and Medicaid Services; patient notification; appointment of counsel for the patient; compensation limits for the special Medicaid representative; waiting periods; clarification of confidentiality provisions; and confidentiality of the completed Medicaid application. The majority of the committee was convinced that passage of this legislation will be protective of patient rights while at the same time providing nursing home and hospitals with a useful tool to speed up the process of filing Medicaid applications to the financial benefit of the institutions rendering patient services. Vote 17-2.

Amendment (1367h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Special Medicaid Representatives. Amend RSA by inserting after chapter 151-H the following new chapter:

CHAPTER 151-I SPECIAL MEDICAID REPRESENTATIVES

151-I:1 Definitions. In this section:

- I. "Care facility" means a long-term care facility licensed pursuant to He-P 803, 804, or 805 or "health care facility," "hospital," or "rehabilitation facility," as defined in RSA 151-C:2, XV-a, XX, and XXXIII.
 - II. "Commissioner" means the commissioner of the department of health and human services.

III. "Court" means the circuit court probate division.

- IV. "Department" means the department of health and human services.
- V. "Medicaid applicant" means the person and his or her agent, who applies for Medicaid benefits in accordance with a request made pursuant to RSA 151-I:2.
- VI. "Person" means the patient or resident of a care facility from whom a completed Medicaid application is sought or for whom a special Medicaid representative is requested for the purpose of submitting a Medicaid application.
- VII. "Special medicaid representative" means an individual or entity appointed by the court to collect the information necessary and to complete and process an application for Medicaid with the department of health and human services.
 - 151-I:2 Special Medicaid Representatives.
- I. If a person in a care facility has not paid the costs of care as they become due through personal funds, Medicare, private health or long-term care insurance, the Affordable Care Act, or other third party arrangement, and the care facility in good faith believes that the person may be eligible for Medicaid benefits:
- (a) The care facility may send out a written request signed by the duly-authorized representative of the care facility. The request shall be sent to the person, the person's spouse, and any of the person's known agents including without limitation guardians, conservators, agents under powers of attorney, or any contractually responsible family members, by certified mail, return receipt requested, to their last known address. The written request shall inform the person that the care facility reasonably believes the person is eligible for Medicaid and inform the person on how to file a Medicaid application with the department. The written request shall also notify the person that if the person chooses not to file a Medicaid application the facility may petition the court for the appointment of a special Medicaid representative pursuant to this chapter.
- (b) If the person or one of the person's agents files a Medicaid application, the application shall be in a form sufficient to be accepted to begin processing by the department and Medicaid eligibility shall be determined consistent with RSA 151-E:3 and RSA 167:4. A contemporaneous notice and copy of the application shall be provided by the person to the care facility, the person's spouse, and any of the person's known agents, by certified mail, return receipt requested; provided however that the Medicaid applicant may omit the copy of the Medicaid application in the notice to the care facility.
- (c) If the person or the person's agents file the Medicaid application, the care facility may also request that they cooperate with the care facility in executing authorizations in favor of the care facility including, but not limited to, authorizing the care facility to communicate with the department regarding the Medicaid application, and otherwise cooperate in obtaining any additional financial and asset information required by the department to complete and process the Medicaid application such that it is sufficiently complete for the department to make an eligibility determination; provided, however, that the care facility shall minimize to the extent possible the number of authorized employees who work on the application or have access to the person's financial and asset information. To the extent that the person and the person's agents cooperate and execute such authorizations and the care facility receives such information, the employees of the facility shall have a duty to preserve the confidentiality of the information, except to the extent necessary for the processing of the Medicaid application. The department shall promptly respond to any inquiries by the person, the person's legal agent, or care facility as to the status of the Medicaid application. Notwithstanding any other provision of this chapter, any refusal of the person or the person's agents to execute authorizations in favor of a care facility shall be subject to the right of the facility to petition the court for the appointment of a special Medicaid representative for noncooperation as stated in subparagraph (d).
- (d) The care facility may petition the court for the appointment of a special Medicaid representative:

(1) If the care facility does not, upon the care facility's inquiry, receive confirmation from the department of the filing of a Medicaid application within 5 business days of the care facility's inquiry in accordance with subparagraph (b); or

(2) If the care facility does not, upon the care facility's inquiry, receive confirmation from the department within 15 business days of the care facility's inquiry that the Medicaid application has been completed and is waiting for an eligibility determination consistent with RSA 151-E:3 and RSA 167:4.

- (e) For the purposes of this chapter only, if the otherwise eligible Medicaid applicant or care facility has attempted in good faith to obtain financial and asset information but is being prevented from providing this information because of a third party, then the department shall not deny the Medicaid application for failure to provide this information, if the Medicaid applicant or care facility provides documentation that they have made good faith efforts, but have failed to obtain such information by:
 - (1) Sending 2 written requests to the third party demanding the requested information; and
- (2) If such requests are unsuccessful, filing a motion to compel or a petition for discovery in a court of competent jurisdiction to order the third party to provide the requested information.
- (f) In those instances where the Medicaid applicant or an authorized care facility seeks financial or asset information from an individual or entity, the individual or entity shall respond and produce the requested information to the extent that the individual or entity is in possession of such information no later than 30 days after receipt of the request, unless the individual or entity can show good cause in writing to the Medicaid applicant or care facility why more time is required or why it should not have to produce some or all of the information.
- (g) Individuals or entities responding to a request for information from a Medicaid applicant or an authorized facility pursuant to this section shall only be permitted to charge reasonable costs of responding, including no more than \$.25 per page for copying. If an individual or entity fails to respond within 30 days, then it shall forfeit any right to reimbursement for responding or copying or related costs.
- (h) When the Medicaid applicant or the authorized care facility believe that the Medicaid application is ready for an eligibility determination and so notify the department, the department shall state with specificity the information that still needs to be provided, or else act on the application within 90 days and eligibility determinations shall be made consistent with RSA 151-E:3 and RSA 167:4.
- II.(a) Except in those instances where the court has already commenced a guardianship of the estate or the person or conservatorship as described under subparagraph (c), when the Medicaid applicant and, where applicable and required, the person's spouse, fails to cooperate in the Medicaid application process, the care facility may petition the court for the appointment of a special Medicaid representative for the limited purpose of applying for Medicaid for the person. The petition shall include the names and addresses of any current agents under any power of attorney over the person or the person's finances and assets, as known to the care facility and shall also include the following information:
- (1) The name, address, corporate or agency status of the petitioning care facility and its connection with or relationship to the person.
 - (2) The name, age, and address of the person.
- (3) The names and addresses of adult spouses, parents, children and siblings of the person, so far as they are known to the care facility.
- (4) The name, address, occupation and relationship to the person, if any, of the proposed special Medicaid representative.
 - (5) The name and address of counsel, if any, for the person.
- (b) The care facility shall file a statement with the petition containing facts demonstrating the need for the appointment of a special Medicaid representative which shall include an affidavit of a duly-authorized representative of the care facility demonstrating the basis for its belief that a Medicaid application is necessary, and that the written request has been provided to the person or any agents of the person, and that neither the person nor any of the person's agents have filed a Medicaid application with the department that meets the requirements of subparagraph I(b) or that the person or the person's agents have otherwise failed to cooperate as stated above in paragraph I(c) and (d).
- (c) If the court has already commenced a guardianship of the estate or the person or a conservatorship, the care facility shall petition the court in that proceeding for relief compelling the guardian or conservator to submit and complete the Medicaid application.

III. A special Medicaid representative shall have the authority to request and receive from any individuals or entities, including any government entities and financial institutions, and to compile and report in the form of a Medicaid application, all information required by the department to determine the person's eligibility for Medicaid, and shall have the duty to expeditiously submit, complete, and prosecute such application. The Medicaid applicant and the care facility shall have a duty to cooperate with the special Medicaid representative. Any individual or entity receiving a request from such special Medicaid representative shall comply with the request no later than 30 days after receipt of such request to the extent that the individual or entity is in possession of such information, unless the individual or entity can show good cause in writing why more time is required or why it should not have to produce some or all of the information. If the individual or entity fails to comply with the request for information, the special Medicaid representative may notify the court of that failure with notice to the individual or entity by certified mail, return receipt requested, and the court may issue such orders as appropriate for the failure to respond. The special Medicaid representative shall provide contemporaneous notice to the person, the person's spouse, and the person's agents of any such request for information, by certified mail, return receipt requested.

IV.(a) Within 10 days of the filing of the petition, the court shall issue orders of notice to the person, the person's spouse, and any of the person's known agents as provided to the court which shall contain:

- (1) The date, time, and place set for the hearing on the petition, which hearing shall take place no later than 40 days from the filing of the petition.
 - (2) The deadline by which any interested parties shall file an objection to the petition.
 - (3) Information regarding the purpose of the appointment of a special Medicaid representative.
- (4) Information regarding the rights of the person or the person's agents in the proceedings such as the right to oppose the proceeding, to attend the hearing, and to present evidence.
- (5) Notice that, if the petition is granted, the person may be liable for the fees and expenses of the special Medicaid representative as allowed by the court.
- (b) Orders of notice of the hearing shall include a copy of the petition and shall issue by first class mail to the:
- (1) Person, the person's counsel, if any, the person's spouse, and the person's agents whose names and addresses appear on the petition;
 - (2) Proposed special Medicaid representative; and
 - (3) Care facility.
- (c) At the hearing on the petition, the care facility shall have the burden of proving by a preponderance of the evidence that the Medicaid application is necessary, that the care facility has requested that the person or the person's agents submit and complete a Medicaid application to the department, and that no Medicaid application has been submitted to the department for the person or that, where an application was submitted, the person, the person's spouse, or the person's agents have failed to cooperate or diligently prosecute the application. If the care facility meets its burden of proof, the court shall enter an order granting the petition and expressly and specifically memorializing the authority of the special Medicaid representative to request and receive from any entity or individual any and all information about the finances and assets of the person and the person's spouse, if applicable, required by the department to determine the person's eligibility for Medicaid consistent with RSA 151-E:3 and RSA 167:4 and authorizing the care facility to have access to the information obtained by the special Medicaid representative. The order granting the petition shall not be stayed pending appeal except where expressly ordered by the court upon good cause shown. The special Medicaid representative shall not be an employee of the care facility provided however that this provision shall not bar the voluntary payment in whole or in part of any fees of the special Medicaid representative by a care facility pursuant to subparagraph V(c).
- (d) Objections, if any, to the petition shall be filed by the deadline scheduled by the court which shall in any event be no later than 5 days before the hearing date and shall describe with specificity the objection and the grounds for the objection; provided, however, that no such objection shall be sustained unless the objector can show by a preponderance of the evidence that:
- (1) A full and complete Medicaid application has been submitted to the department by the person or the person's agents;
- (2) Since the filing of the petition the person has paid the previously outstanding balance and the person has the financial capability to pay the estimated costs of care of the person at the care facility for a minimum of 6 months from the date of the hearing;

- (3) The person has adequate insurance or other third-party coverage to pay the care facility's costs of care:
 - (4) The filing of the Medicaid application is not in the best interest of the person; or

(5 The person is not eligible for Medicaid.

- (e) Unless the person is represented by private counsel or makes a knowing, voluntary, and intelligent waiver, the court shall appoint counsel, the fees and costs for which shall be paid from the estate of the person or, upon a finding that the person is indigent, from the care facility; provided, however, that such fees and costs are reasonable and approved by the court and further provided that in no event shall the fees and costs of such counsel exceed \$900 in the aggregate. The said fees and costs may also be paid by the care facility by agreement.
- V.(a) The special Medicaid representative shall file an annual status report with the court on the anniversary of the appointment of the special Medicaid representative, and shall file a final status report with any motion to terminate the authority of the special Medicaid representative. The authority of the special Medicaid representative shall terminate upon motion and order of the court following the final approval or denial by the department of the Medicaid application after a full eligibility determination as to the person including the resolution of all appeals. The court may require a bond from the special Medicaid representative in such sum as it deems appropriate. In the discretion of the court, a bond without sureties may be given.

(b) Information obtained pursuant to this chapter shall not be used for any purpose other than obtaining Medicaid coverage for the person and all such information shall otherwise remain confidential except as to the special Medicaid representative. The court may enter such orders as it deems appropriate upon proof by a preponderance of the evidence of a violation of the duty of

confidentiality described in this subparagraph.

- (c) The court, in its discretion, may award the special Medicaid representative reasonable compensation in an amount not to exceed \$500 for his or her services, including, but not limited to, expenses, legal fees, and other costs to be paid from the assets of the person as determined by the court as allowed by law; however, no Medicaid funds shall be used to pay for the special Medicaid representative's compensation and no general funds shall be used to pay for the special Medicaid representative's compensation unless the general court appropriates funds specifically for such a purpose. Said compensation for services, expenses, legal fees, and other costs of the special Medicaid representative may also be paid by agreement with any other interested party.
 - (d) Nothing contained in this chapter shall diminish any other rights of a care facility.
- 2 Applicability. The implementation of RSA 151-I as inserted by section 1 of this act shall be subject to written approval by the Centers for Medicare and Medicaid Services. If required, the commissioner of the department of health and human services shall develop and prepare amendments to the state Medicaid plan for submission and approval to the Centers for Medicare and Medicaid Services (CMS). The commissioner shall seek and have in place approval from the CMS by December 31, 2016. The commissioner shall certify the date of approval to the secretary of state and the director of legislative services.

3 Effective Date.

- I. Section 2 of this act shall take effect upon its passage.
- II. The remainder of this act shall take effect January 1, 2017.

SB 361, banning the sale of premixed synthetic urine. OUGHT TO PASS WITH AMENDMENT. Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill seeks to ban the sale of synthetic urine. The sole purpose of synthetic urine is to defraud a drug or alcohol screening test. This committee unanimously believes that there is no legitimate use of the product and that it should be illegal. Vote 19-0.

Amendment (1382h)

Amend the title of the bill by replacing it with the following:

AN ACT banning the sale and possession of synthetic urine and urine additives.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Sale of Synthetic Drugs; Synthetic Urine and Urine Additives. Amend RSA 359-O by inserting after section 7 the following new subdivision:

Synthetic Urine and Urine Additives

359-O:8 Sale or Possession of Synthetic Urine and Urine Additives Prohibited.

I. No person or business shall:

(a) Manufacture, sell, distribute, market, or possess synthetic urine or urine additives.

(b) Attempt to defeat a drug or alcohol screening test by using synthetic urine or urine additives.

II. In this section, "drug or alcohol screening test" means an analysis of a sample of bodily fluid collected from a person for the purpose of detecting the presence of alcohol or drugs in the bodily fluid of the person.

III. Any person or business who violates this subdivision shall be subject to the penalty in RSA 359-O:5, I.

AMENDED ANALYSIS

This bill prohibits the manufacture, sale, and possession of synthetic urine or urine additives to defeat a drug or alcohol screening test.

SB 419-FN, relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill makes a number of changes requested by the Department of Health and Human Services to improve implementation of our therapeutic cannabis laws. This bill removes barriers for citizens to access the program by allowing border state medical providers to certify NH qualifying patients for the program. It allows certain residential facilities licensed under RSA 151 to possess cannabis on behalf of their residents under certain conditions. An exemption to RSA 91-A keeps law enforcement requests of the cannabis registry confidential. It creates administrative efficiencies in the criminal record check process. Vote 16-0.

Amendment (1339h)

Amend the title of the bill by replacing it with the following:

relative to certain changes in the law governing the therapeutic use of cannabis. Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1 by inserting after paragraph VI the following new paragraph:

VI-a. "Facility caregiver" means a residential care facility, nursing home, hospital or hospice house licensed under RSA 151 which has agreed to allow one or more qualifying patients who are residents or patients of the facility to utilize therapeutic cannabis obtained by the resident or the resident's designated caregiver from an alternative treatment center, and which has agreed to assist such residents in the therapeutic use of their cannabis in accordance with a policy developed by the facility, and in accordance with rules adopted by the commissioner of health and human services pursuant to RSA 541-A.

2 Use of Cannabis for Therapeutic Purposes; Definitions. RSA 126-X:1, VII(a) is repealed and reenacted to read as follows:

(a) "Provider" means:

- (1) A physician licensed to prescribe drugs to humans under RSA 329 and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances:
- (2) An advanced practice registered nurse licensed pursuant to RSA 326-B:18 and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances: or
- (3) A physician or advanced practice registered nurse licensed to prescribe drugs to humans under the relevant state licensing laws in Maine, Massachusetts, or Vermont and who possesses an active registration from the United States Drug Enforcement Administration to prescribe controlled substances and who is primarily responsible for the patient's care related to his or her qualifying medical condition.
- 3 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, VII(b) to read as follows:
- (b) For a visiting qualifying patient, "provider" means an individual licensed to prescribe drugs to humans in the state of the patient's residence and who possesses [certification] an active registration from the United States Drug Enforcement Administration to prescribe controlled substances. Such visiting patient shall not be eligible to purchase or transfer cannabis from an eligible New Hampshire patient.

4 New Paragraph; Use of Cannabis for Therapeutic Purposes; Therapeutic Use of Cannabis Protections. Amend RSA 126-X:2 by inserting after paragraph XV the following new paragraph:

XVI. A facility caregiver and those employees designated by the facility to assist qualifying patients, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the facility for the purpose of assisting a qualifying patient who is a resident or patient of the facility in the therapeutic use of the qualifying patient's cannabis.

5 Use of Cannabis for Therapeutic Purposes; Prohibitions and Limitations on the Therapeutic

Use of Cannabis. Amend RSA 126-X:3, III(c) to read as follows:

(c) Any accommodation of the therapeutic use of cannabis on the property or premises of any place of employment or on the property or premises of any residential care facility, nursing home, hospital or hospice house, jail, correctional facility, or other type of penal institution where prisoners reside or persons under arrest are detained. This chapter shall in no way limit an employer's ability to discipline an employee for ingesting cannabis in the workplace or for working while under the influence of cannabis.

6 New Paragraph; Use of Cannabis for Therapeutic Purposes; Prohibitions and Limitations on the Therapeutic Use of Cannabis. Amend RSA 126-X:3 by inserting after paragraph VII the following new paragraph:

VIII. A facility caregiver shall treat cannabis in a manner similar to medications with respect to its storage, security, and administration when assisting qualifying patients with the therapeutic

use of cannabis.

7 Use of Cannabis for Therapeutic Purposes; Departmental Administration; Registry Identification Cards. Amend RSA 126-X:4, II-a to read as follows:

II-a. In addition to the information required pursuant to paragraph II, the department shall also receive [results of a criminal history records check] notification of any felony convictions from the division of state police. A person applying to be a designated caregiver shall submit directly to the department of safety a notarized criminal history records release form, as provided by the New Hampshire division of state police, authorizing the release of [his or her criminal history record, if any, any felony convictions to the department. The applicant shall submit with the release form a complete set of electronic fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid for whatever reason, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances showing no felony convictions from every city, town, or county where the person has lived during the past 5 years. The division of state police shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall [submit a copy of the criminal history records] report to the department whether or not there are any felony convictions. The department shall maintain the confidentiality of [all] criminal history [records] record information received pursuant to this section. The applicant shall bear the cost of a criminal history records check.

8 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, VII(b) to read as follows:

(b) The department shall track the number of qualifying patients certified by each provider and registered with the department. [Any concerns regarding provider conduct shall be referred to the New Hampshire board of medicine or the New Hampshire board of nursing.]

(c) Any concerns regarding provider conduct shall be referred to the New Hampshire board of medicine, the New Hampshire board of nursing, or the appropriate regulatory entity in Maine, Massachusetts, or Vermont. The New Hampshire board of medicine, the New Hampshire board of nursing, or the appropriate regulatory entity in Maine, Massachusetts, or Vermont may direct the department to prohibit a provider's participation in New Hampshire's therapeutic cannabis program if the regulatory entity takes disciplinary action against a provider regarding the provider's involvement in the therapeutic cannabis program in New Hampshire or in his or her respective state.

9 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4,

IX(c) to read as follows:

(c) When a qualifying patient or a designated caregiver notifies the department of any change to a name[;] or address, [or alternative treatment center,] the department shall issue the qualifying patient or designated caregiver a new registry identification card with a new random 10-digit identification number within 20 days of receiving the updated information.

10 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-

X:4, XI(b)(4) to read as follows:

(4) Requests by law enforcement officials under this section to the department pursuant to a sworn affidavit, search warrant, or court order, regardless of whether or not the name or address was found in the registry, shall be confidential under this chapter and exempt from disclosure under RSA 91-A. Aggregate data relative to such requests may be made public if it does not contain any identifying information regarding the specific law enforcement request.

(5) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has made a legal determination

that there is probable cause to believe the information is false or falsified.

11 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill clarifies the providers who are qualified to prescribe cannabis for therapeutic purposes. This bill authorizes certain facilities licensed under RSA 151 to assist qualifying patients in the therapeutic use of their cannabis. This bill also clarifies the confidentiality for requests by law enforcement officials for information under the use of cannabis for therapeutic purposes law.

SB 430, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. INEXPEDIENT TO LEGISLATE.

Rep. John Fothergill for Health, Human Services and Elderly Affairs. While the committee sees peer-to-peer recovery services as a vital link in the treatment of opioid addiction, it felt this commission would duplicate work done by another commission. Considerable work in this area has already been done with extensive input from stakeholders. Another commission may create confusion and delay the release of funds to support these much-needed services. Vote 17-0.

SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. OUGHT TO PASS.

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. The committee heard compelling testimony on the shortage of nurses and other skilled health care workers for home health and post-acute care services underscoring the need for this commission which would be changed with the task of in-depth investigation of the problem and developing comprehensive proposals for its remediation. Vote 17-0.

SB 477-FN, relative to nonemergency involuntary admissions. OUGHT TO PASS.

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation does not change the complex laws for involuntary admission to New Hampshire Hospital, or other designated receiving facilities (DRFs). This bill requires notification when a petition for non-emergency has been filed and when a court has made a decision regarding the petition. It also requires that New Hampshire Hospital and DRFs be apprised of the decision at the earliest practical time which allows for planning for a pending admission. Vote 16-0.

SB 487, relative to missing vulnerable adults. OUGHT TO PASS WITH AMENDMENT.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill establishes a process to activate statewide alerts through designated media outlets when a vulnerable adult is reported missing. Conditions which could trigger the alert include mental or cognitive disability, intellectual or developmental disability, brain injury, or other physical, mental or emotional disability which requires immediate action in order to locate the missing adult and ensure his or her safety. The bill includes reporting guidelines for a broad definition of caregivers, and sets out procedures for law enforcement agencies to follow whenever issuing the alert. The bill also shortens the time period for filing a report on a missing adult without vulnerabilities from 72 hours to 48 hours. Vote 16-0.

Amendment (1301h)

Amend the bill by replacing section 1 with the following:

1 Chapter Heading. Amend the chapter heading of RSA 106-J to read as follows:

CHAPTER 106-J

MISSING [ADULTS, PERSONS WITH DEVELOPMENTAL DISABILITIES, - AND SENIOR CITIZENS]

ADULT PROGRAM AND MISSING VULNERABLE ADULT ALERT PROGRAM

Amend RSA 106-J:3, III as inserted by section 5 of the bill by replacing it with the following: III. "Missing vulnerable adult" includes, but is not limited to, a missing adult who:

(a)(1) Is 18 years or older;

(2) Whose whereabouts are unknown;

- (3) Whose last known whereabouts at the time he or she is reported missing is in New Hampshire; and
- (4) Whose disappearance poses a credible threat to the safety and health of the person, as determined by a local law enforcement agency; and
 - (b)(1) Who has a mental or cognitive disability, such as dementia;
 - (2) Who has an intellectual or developmental disability;

(3) Who has a brain injury; or

(4) Who has another physical, mental, or emotional disability.

Amend RSA 106-J:4, II and III as inserted by section 5 of the bill by replacing it with the following:

II. When a local law enforcement agency receives notice that a vulnerable adult is missing, the agency shall require the vulnerable adult's family or legal guardian to provide information relative to the vulnerable adult's impaired mental condition, intellectual or developmental disability, brain injury, or other physical, mental, or emotional disability. Once the local law enforcement agency is provided a statement from the vulnerable adult's caregiver that the vulnerable adult is missing and has an impairment, the local law enforcement agency shall notify the department.

III. When notified by a local law enforcement agency of a missing vulnerable adult, the department shall issue an immediate alert. The alert shall be sent to designated media outlets in New Hampshire. Participating radio stations, television stations, and other media outlets may issue the alert at designated intervals. The alert shall include all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing vulnerable adult and a statement instructing anyone with information related to the missing vulnerable adult to contact his or her local law enforcement agency. Amend RSA 106-J:5, II as inserted by section 5 of the bill by replacing it with the following:

II. Transparency and communication with the existing Medic Alert + Safe Return program or a similar program, including a mechanism to enroll individuals who are involved in wandering incidents in Medic Alert + Safe Return on the department's website.

SB 512, relative to health care associated infections. OUGHT TO PASS.

Rep. Thomas Sherman for Health, Human Services and Elderly Affairs. This bill makes certain changes to the law governing the reporting of health care associated infections. The need for this bill was clarified by the testimony and the deliberation of the SB 56 commission on oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings (Chapter 147, Laws of 2015). The bill closes the gaps on reporting of outbreaks at dialysis centers and residential care facilities. Vote 19-0.

SB 530-FN, establishing a commission to study volunteer health care services. OUGHT TO PASS WITH AMENDMENT.

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill will establish a commission to study whether New Hampshire should create a program to allow medical professionals and licensed health care facilities to enter into contracts with the NH Department of Health and Human Services, or a governmental contractor to provide volunteer health care services to eligible low income persons and consider whether such services should be protected by immunity. Vote 16-1.

Amendment (1182h)

Amend RSA 126-A:70, II(a) as inserted by section 1 of the bill by inserting after subparagraph (8) the following new subparagraphs:

(9) A representative of the New Hampshire Hospital Association, appointed by the association.

(10) The attorney general, or designee.

(11) A social worker, appointed by the board of mental health practice.

(12) A pharmacist, appointed by the pharmacy board.

Amend RSA 126-A:70, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

SB 541, establishing a commission to study provider rates. INEXPEDIENT TO LEGISLATE. Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. There appears to be no practical need for the bill as it only addresses a few issues and there was limited support given in public hearing testimony. Vote 16-1.

SB 553, relative to implementation of the Medicaid managed care program. OUGHT TO PASS WITH AMENDMENT.

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. This bill as amended provides for guidelines that need to be met prior to implementation of Phase 2 of the Medicaid Managed Care Program. All reports submitted shall be in accordance with RSA 91-A (Right-to-Know law). Each plan prepared by the Department of Health and Human Services under section 2 of this bill shall be subject to notice and public comment for 60 days as well as a public hearing. Vote 17-0.

Amendment (1745h)

Amend the bill by replacing all after the enacting clause with the following:

1 Medicaid Managed Care Program; Implementation. Notwithstanding any other provision of law to the contrary, the remaining unimplemented phases of the Medicaid managed care program, established in RSA 126-A:5, XIX, specifically nursing services; services provided under the choices for independence waiver; and services provided under the developmental disability, acquired brain disorder and in-home support waivers issued by the Centers for Medicare and Medicaid Services (CMS) under 42 USC section 1915(c), shall not be implemented until after:

I. The department of health and human services has prepared and adopted a comprehensive plan for the services to be incorporated into managed care.

II. The department has obtained approval by CMS of any waivers and state plan amendments necessary for the incorporation of such services into managed care.

III. The plan has been presented to the fiscal committee of the general court, the oversight committee on health and human services, established in RSA 126-A:13, and the county-state finance commission, established in RSA 28-B:1.

IV. The department has presented a report by the department's actuary on the per member/per month cost of providing services within managed care under each plan to the general court. The report shall also identify all applicable rate cell information and include medical loss ratio information on managed care organization performance in the New Hampshire Medicaid care management program. The report shall be subject to the provisions of RSA 91-A.

V. The governor and executive council have approved any contract or contract amendment for the implementation of such services into managed care.

2 Development of Plan. The department of health and human services shall develop the plan for the incorporation of nursing and waiver services into managed care, as follows:

I. No later than 30 days after the effective date of this section, the department shall convene a working group consisting, at a minimum, of representatives of the following stakeholders: each managed care plan under contract with the state, the New Hampshire Association of Counties, the New Hampshire Health Care Association, Community Support Network, Inc., Granite State Independent Living, the Brain Injury Association of New Hampshire, Granite State Home Health Association, a member of the house of representatives appointed by the speaker of the house of representatives, a member of the senate appointed by the senate president, an independent case management organization industry representative, a member of the governor's commission on managed care designated by the commission, and a member of the medical care advisory committee designated by the committee.

II. The working group shall be convened by the commissioner of health and human services and shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan for the implementation of nursing and waiver services into managed care. Each plan shall include, at a minimum, a detailed description of the following: eligibility and enrollment, covered services, transition planning, prior authorization, transportation, pharmacy, case management, network adequacy,

credentialing, quality metrics and outcome measurements, patient safety, utilization management, finance and reimbursement, rates and payment, grievance and appeals, and office of ombudsman. Each plan shall also address how the incorporation of the services into managed care shall achieve

the legislative intent of providing value, quality, efficiency, innovation, and savings.

III. The plans for implementation of nursing and home care services provided under the choices for independence waiver into managed care shall be prepared prior to the plan for any other waiver services. The preparation of any plan by the working group for the incorporation of services provided under the developmental disability, acquired brain syndrome, and in-home supports waivers shall commence only after the completion of implementation of nursing and home care services under the choices for independence waiver into managed care.

3 Hearing, Public Comment. Each plan prepared by the department under section 2 of this act

shall be subject to notice and public comment for 60 days and a public hearing.

4 Reports.

I. The department of health and human services shall present an update on the status of the plan preparation each month to the fiscal committee of the general court and the oversight committee on health and human services until the plan has been implemented. The department's updates shall also include managed care organization and department readiness for implementation.

II. No later than August 1, 2016, the department shall submit to the speaker of the house of representatives, the president of the senate, and the county-state finance commission, all proposed changes to state law the department believes may be necessary for the incorporation of nursing and

waiver services into managed care.

5 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes procedures for the implementation of phase 2 of the Medicaid managed care plan.

SB 337, establishing a committee to study the immunity of court-appointed special advocates. INEXPEDIENT TO LEGISLATE.

Rep. Linda Kenison for Judiciary. This bill would study the issue of providing the Court Appointed Special Advocates of New Hampshire and any court-appointed special advocate (CASA) appointed by RSA 169-C with immunity from civil and criminal liability for any act or omission with CASA's activity and authority as a court-appointed special advocate. The committee determined there is no need for a study committee. An improved approach would be to introduce a clean bill regarding CASA immunity in the next session. Vote 15-0.

SB 402, relative to procedures related to the disclosure of exculpatory evidence by police officers. OUGHT TO PASS WITH AMENDMENT.

Rep. Paul Berch for Judiciary. This bill, as amended, sets guidelines and procedures for the production of potentially exculpatory evidence by prosecutors in criminal cases. It clarifies that the prosecutor, who has the legal duty to examine police personnel files for potentially exculpatory evidence, has the ability to access these files, while otherwise maintaining confidentiality. The bill provides for notice to the affected officer when it becomes known that the file contains such material and insures that the police officer has the opportunity to challenge disciplinary findings or administrative actions related to this kind of material. The bill finally mandates that no officer shall be fired solely on the basis that there is potentially exculpatory evidence in his or her personnel file. Vote 19-1.

Amendment (1729h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Police Officers; Disclosure of Exculpatory Evidence; Termination Prohibited. Amend RSA 105 by inserting after section 13-c the following new subdivision:

Disclosure of Exculpatory Evidence

105:13-d Disclosure of Exculpatory Evidence.

I. In this subdivision:

(a) "Exculpatory evidence" means any information required to be disclosed to the defendant in a criminal case under the federal Constitution or the state constitution.

(b) "Personnel file" includes all employment records an any related internal affairs investigations. II. The prosecutor shall have access to the complete personnel file of any police officer who may be a witness for either party in any criminal case for the purpose of determining the existence of potentially exculpatory evidence. If the prosecutor cannot determine whether such evidence is exculpatory, he or she shall petition the court for an in camera review of the evidence. No prosecutor who reviews a police officer's personnel file shall disclose any information obtained as a result of the review, except as required in this paragraph or to the extent necessary to comply with the federal Constitution or state constitution. The personnel file shall remain confidential unless otherwise provided by law.

III. When the head of a law enforcement agency determines that a police officer's personnel file may contain potentially exculpatory evidence, he or she shall notify the police officer of that determination. The police officer shall have the opportunity to challenge the disciplinary finding or other administrative action resulting from the potentially exculpatory evidence through available contractual, administrative, and legal means. However, the pendency of such challenge shall not prevent the disclosure of the potentially exculpatory evidence in a criminal proceeding in which an officer is a potential witness.

IV. If a county prosecutor, outside of the requirements of a pending criminal case, disseminates or distributes to another person any document or list which contains names of police officers believed to have exculpatory evidence in their personnel files, the county attorney shall notify the attorney general of this fact within 5 business days of the dissemination or distribution. If the prosecutor distributes or disseminates such a list outside the requirements of a criminal case, the attorney general shall develop and implement procedures, which satisfy the due process requirements of the federal Constitution and state constitution, to allow a police officer to seek removal of his or her name from such document or list including but not limited to a declaratory judgment procedure under RSA 491:22. The attorney general shall implement such additional procedures no later than 180 days from the date of distribution by either the county attorney or the attorney general of the document or list.

V. The duty to disclose exculpatory evidence that should have been disclosed prior to trial shall be an ongoing duty that extends beyond a finding of guilt.

105:13-e Termination Prohibited. No police officer shall have his or her employment terminated based solely on a determination that the officer has potentially exculpatory evidence in his or her personnel file which may need to be disclosed to a criminal defendant. Nothing in this section shall prohibit the employing authority from terminating a police officer's employment based on conduct that is the subject of the exculpatory evidence.

2 Repeal. RSA 105:13-b, relative to confidentiality of police personnel files, is repealed.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires a determination of whether information in a police officer's personnel file constitutes exculpatory evidence and allows a police officer who has information determined to be exculpatory evidence in his or her personnel file to have an opportunity to challenge the disciplinary finding. This bill also requires the attorney general to develop procedures for a police officer to have his or her name removed from a list of police officers believed to have exculpatory evidence in their personnel files.

SB 449, relative to payment of workers' compensation benefits by direct deposit. OUGHT TO PASS WITH AMENDMENT.

Rep. Douglas Ley for Labor, Industrial and Rehabilitative Services. This bill solves a problem regarding workers' compensation payments by specifying that the day of such weekly payments be specified in advance by the employer or employer's insurance carrier. By doing so, it permits the individual worker to better plan financially during her or his time on worker's compensation. Vote 18-0.

Amendment (1749h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to weekly payment of workers' compensation benefits.

Amend RSA 281-A:40 as inserted by section 1 of the bill by replacing it with the following:

281-A:40 Memorandum of Payment. An employer or the employer's insurance carrier shall make payment of compensation in the amount and manner provided by this chapter. Weekly payment shall be made on or before a day of the week designated in advance by the employer or the employer's insurance carrier at the onset of payment of disability. The employer shall file memoranda of [such] payments with the commissioner in accordance with rules adopted by the commissioner under RSA 281-A:60.

AMENDED ANALYSIS

This bill requires weekly payment of workers' compensation benefits to be made on or before a day of the week designated in advance by the employer or the employer's insurance carrier at the onset of payment of disability.

SB 418, adding National Guard members to the absentee voting laws and relative to enrollment of laws. OUGHT TO PASS WITH AMENDMENT.

Rep. Dianne Schuett for Legislative Administration. This bill includes active service National Guard members in the definition of absent uniformed services voters in the election laws. It also modifies procedures for enrolling bills and resolutions. The committee agreed with the bill as previously amended by the House, with an additional amendment clarifying that the Secretary of State is required to keep bills and resolutions as public records. Vote 6-0.

Amendment (1669h)

Amend the bill by replacing section 2 with the following:

2 Enrollment of Laws. Amend RSA 14:8 to read as follows:

14:8 Enrollment of Laws. All bills and resolutions which have passed both branches of the legislature shall be forwarded to the office of legislative services to be there enrolled and prepared for submission to the governor. After such enrollment the bill or resolution shall be forwarded by the secretary of state to the committee on enrolled bills for final approval. [After said final approval the bill or resolution shall be forwarded to the secretary of state. He] The secretary of state shall keep such bills and resolutions as public records of the state.

SB 347, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. INEXPEDIENT TO LEGISLATE.

Rep. Keith Ammon for Municipal and County Government. This bill is enabling legislation to allow towns to adopt laws and ordinances regulating attire on state and municipal property. This provision already exists for cities but was lacking in towns. The committee heard two favorable testimonies and ten unfavorable at the hearing. Based on favorable testimony, the main impetus behind this bill seemed to be to allow towns and the state to ban female toplessness. The fear that the enabling legislation could be used to suppress free speech and restrict personal freedoms, possibly creating restrictions that were gender-specific, prevailed among the committee members. The committee might have considered removing this provision from the statutes for cities if it had not been for the fact that this would be retrospective legislation and would not have been upheld in court when existing ordinances were determined illegal. There has been no widespread evidence of the need for this legislation and the possibility of misuse outweighed the benefits. Also, this bill would have allowed the NH Department of Resources and Economic Development additional rulemaking authority to regulate dress codes in state waters or state parks, forests, or other state recreational areas. Vote 14-1.

SB 348, allowing municipalities to adopt a property tax credit for certain disabled veterans. INEXPEDIENT TO LEGISLATE.

Rep. Franklin Sterling for Municipal and County Government. This bill continues to expand the provisions for property tax credits for veterans. Current statute allows credits against the tax of a veteran's primary residence depending on time/place served, any loss of limbs and other qualifying conditions which also apply to a surviving spouse. This bill adds another level of credit even though it is enabling legislation and must be approved by the legislative body. One might wonder where it all ends. However, there is a lot of misunderstanding in the wording of this bill and, when the committee heard testimony from the Veterans Administration Hospital as to what the meaning of "totally and permanently disabled" meant and the difference with that provision and "100% disabled" the clouds cleared a bit. Many veterans are determined 100% disabled due to progressive smaller disabilities that add up to 100% but they are not "totally and permanently" disabled. This rating is not easily obtained and may take years to be determined after the VA determines that the veteran has no chance of getting better or back to leading a normal life. The bill, however, did nothing to address the cumulative credits the veteran could benefit from when adding the other provisions currently in statute. Vote 15-1.

SB 438, relative to the aesthetic maintenance of highway intersections. OUGHT TO PASS WITH AMENDMENT.

Rep. David Pierce for Public Works and Highways. This bill, as introduced, sought to allow private entities to aesthetically improve and maintain state highway intersections through creation of RSA 230-84. The bill, as amended, accomplishes the same goal by adding "aesthetic maintenance" to RSA 230-83 thus expanding the scope of what NHDOT allows by sponsorship of private beautification contributions, whether the contribution is limited to just the immediate area of highway intersection or the traditional sponsorship of a length of state highway. Vote 16-0.

Amendment (1589h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the aesthetic maintenance of highways.

Amend the bill by replacing section 1 with the following:

1 State Highways; Sponsor-a-Highway Program; Aesthetic Maintenance. Amend the introductory paragraph of RSA 230:83, II to read as follows:

II. May recognize a citizen, group, association, or business that sponsors *and/or provides* aesthetic maintenance on a section of highway by erecting a suitable recognition sign meeting the following criteria:

AMENDED ANALYSIS

This bill permits the commissioner of the department of transportation to enter into agreements with private entities for the aesthetic maintenance of highways.

SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission. OUGHT TO PASS WITH AMENDMENT.

Rep. Mark McConkey for Public Works and Highways. As amended, this bill is the product of the SB 88 study committee relative to Public Private Partnership (P3) for transportation infrastructure projects and establishes an oversight commission to vet P3 projects prior to being brought to the Commissioner of Transportation. This bill is another tool in the Department of Transportation's toolbox to share resources to finance, design, build, operate and maintain transportation infrastructure projects when limited financial resources are available. This bill as amended preserves legislative oversight. P3 projects must receive approval by the Governor, Council and Capital Budget Overview Committee and all P3 projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240. Vote 16-0.

Amendment (1606h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose Statement. Public-private partnerships allow for the sharing of resources to finance, design, build, operate, and maintain transportation infrastructure projects and are especially effective when limited financial resources are available. Such partnerships provide for shared financial responsibilities between the private sector and a public agency. To accomplish that, a clear and succinct law needs to be implemented that considers our infrastructure requirements, delineates responsibilities and commitments, and identifies risks and rewards of both parties. Public-private partnership legislation is designed to address these issues in order to attract the needed investment to sustain and promote growth while maintaining our transportation infrastructure.

2 New Paragraph; Transportation Administration; Powers of Commissioner. Amend RSA 228:21 by inserting after paragraph II the following new paragraph:

III. The commissioner, upon the approval of the governor and council and the capital budget overview committee, may enter into agreements with private entities for design-build-finance-operate-maintain or design-build-operate-maintain services for transportation infrastructure projects under RSA 228:107 through RSA 228:115, provided that such projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240.

3 New Subdivision; Public-Private Partnership Projects. Amend RSA 228 by inserting after section 106 the following new subdivision:

Public-Private Partnership Projects

228:107 Public-Private Partnership Infrastructure Oversight Commission Established. There is established a public-private partnership transportation infrastructure oversight commission to consider and recommend to the commissioner of transportation projects that may be suitable for delivery using design-build-finance-operate-maintain or design-build-operate-maintain services. The commission shall act as an advisory board during the execution of a public-private partnership project, supporting the department in the development of a request for proposals and in the preparation of agreements for public-private partnership projects.

228:108 Membership.

I. The commission established in RSA 228:107 shall have the following members: 2 members who shall reside in different geographic regions of the state, to be appointed by the governor for terms of 2 years; 2 members to be appointed by the president of the senate for terms of 2 years; 2 members to be appointed by the speaker of the house of representatives for terms of 2 years; and one member to be appointed by the state treasurer, who shall not be an employee of the state treasurer, for a term of 2 years. The commissioner, or designee, shall serve as a non-voting member of the commission.

II. Each member of the commission shall be an expert with experience in the fields of transportation law, public policy, public finance, management consulting, transportation, or organizational change; provided that one of the members appointed by the governor shall be an expert in the field of public finance, and one member appointed by the governor shall be an expert in the field of transportation. The governor shall appoint a chairperson from among the members. The members may be eligible for reappointment; however, no member shall serve for more than 3 terms.

III. No person shall be appointed a voting member of the commission who is registered or was registered within the prior one-year period with the secretary of state as a lobbyist under RSA 15; no voting member shall have been a member or employee of the general court or an employee of the executive branch for a period of 6 months prior to his or her appointment; and no member shall have been employed by an organization that has business before the commission, for a period of at least one year prior to his or her appointment.

IV. The commissioner shall call the first meeting within 90 days of the effective date of this section.

V. Members of the commission shall receive mileage at the state employee rate when attending to the duties of the commission.

228:109 Duties.

I. The commission shall:

(a) Establish a general framework for public-private partnership contracts that establishes a process for the submission and evaluation of all such projects and provides a format and forms to enable the bidder to comply with the requirements including terms and conditions.

(b) Provide for the submission of unsolicited proposals, including setting qualification criteria

for unsolicited proposals and establishing a process for evaluating unsolicited proposals.

(c) Provide a method and structure for using public advisors for strategic planning, proposal evaluations, and project monitoring and utilize public professionals on a case by case basis.

(d) Perform an analysis to determine whether a project is suitable for a public-private partnership whenever the department notifies the commission of its intent to pursue a public-private partnership contract.

(e) Hold a minimum of 2 publicly noticed hearings per project to establish whether public-private partnership is the appropriate procurement method. Such notice shall be provided at least 14 days prior to the hearing date. The commission shall allow for a 30-day public comment period following the publicly noticed hearing.

(f) Make recommendations to the commissioner, subject to the approval of the governor and council and the capital budget overview committee, concerning the use of public-private partnerships

for certain projects.

(g) Upon approval of the governor and council and the capital budget overview committee, the commission shall support the department in the development of a request for proposals.

(h) Provide criteria for qualifications to bid per project, including but not limited to, adequate equipment to perform, financial stability, and proven record on projects of this type.

(i) Assure that any public-private partnership agreement is advanced in accordance with the department's design, permitting, and right of way acquisition process and complies with all federal and state design criteria.

(j) Estimate the costs associated with hiring qualified private and public support personnel

to advance and oversee any public-private partnership contract.

(k) Hold a minimum of one publicly noticed hearing per project to solicit public feedback concerning the draft request for proposals. Such notice shall be provided at least 14 days prior to the hearing date. The commission shall allow for a 30-day public comment period following the publicly noticed hearing.

II. Once the commission is satisfied that the request for proposals is complete, governor and

council approval shall be obtained before it is released by the department.

228:110 Procedure. Whenever the department notifies the commission that it is contemplating the use of a public-private partnership contract for design-build-finance-operate-maintain or designbuild-operate-maintain services, the department shall submit a written request to the commission for its consideration. The commission shall provide an initial written response to the request to consider a public-private partnership contract within 15 days. No request for proposals shall be issued by the department for a public-private agreement for design-build-finance-operate-maintain or design-build-operate-maintain services without the commission's written recommendation and concurrence by governor and council of both the procurement method and content of the request for proposals.

228:111 Commission Report. The commission shall issue the following reports:

I. Within 6 months of the first meeting of the commission a copy of the framework establishing the process for the submission and evaluation of public-private partnership projects shall be provided to the chairpersons of the public works and highways committee, the senate transportation committee and the governor and council. The framework shall include the process for the submission of both solicited and unsolicited proposals and a process for evaluating such proposals. It shall also include how public advisors may be utilized for planning, evaluating, and monitoring of projects.

II. Annually thereafter, a report on the work of the commission shall be provided to the individuals listed in paragraph I, including but not limited to, the number of projects reviewed, the recommendations for such projects and the number of requests for proposals being developed.

228:112 Project Reports.

I. For each request to establish a public-private partnership contract for design-build-financeoperate-maintain or design-build-operate-maintain services, the commission shall report on issues surrounding the project including, but not limited to:

(a) The impact on current state employees.

- (b) The policy and regulatory structure for overseeing a privately operated transportation facility and ongoing legislative oversight.
 - (c) Issues of taxation, profit-sharing, and resolution of new revenue producing ideas.

(d) Advertising and marketing. (e) Use of new technologies.

(f) Lease terms and termination clauses.

- (g) Additional responsibilities by both the private infrastructure operator and the state during the lease period.
 - (h) The financial valuation of the state transportation facility.

(i) Issues of public concern.

(i) The anticipated advantages of entering into the anticipated public-private agreement for design-build-finance-operate-maintain or design-build-operate-maintain services.

II. The report shall be delivered within 30 days of the commission's recommendation concerning the use of design-build-finance-operate-maintain or design-build-operate-maintain services to the chairpersons of the public works and highways committee, the senate transportation committee, and the governor and council.

228:113 Contributions from Other States. When a project involves one or more other states, the commissioner may receive and accept capital contributions and funding from such other states and may approve the transfer of support personnel and experts.

228:114 State and Federal Funding. Any public-private partnership projects shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240.

228:115 Liability Insurance. Any contract for public-private design-build-finance-operate-maintain or design-build-operate-maintain services shall provide for securing and maintaining a liability insurance policy for contractors and engineers in the design phase of a project which shall be limited to 10 percent of the cost of such project. A certificate of liability compliance shall be included in the bid. Any such contract shall require a bond under RSA 447:16 for the design-build and bonds, letters of credit, or other forms of security for the operations and maintenance phases of the project.

4 Effective Date. This act shall take effect 60 days after its passage.

SB 363, relative to the definition of owner of an OHRV or snowmobile. OUGHT TO PASS WITH AMENDMENT.

Rep. John Potucek for Resources, Recreation and Development. This bill came to the committee with wording which was confusing to the members. The committee amendment, which replaces the entire bill, authorizes a trust to designate a beneficiary as the person who may register with the state an OHRV or a snowmobile that is held by the trust. Prior to this bill, this particular point was not addressed by existing statute. Vote 16-0.

Amendment (1386h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to OHRVs and snowmobiles held by a trust.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; OHRV Held By Trust. Amend RSA 215-A:21 by inserting after paragraph II-c the following new paragraph:

II-d. If an OHRV is held by a trust, the trust may designate a person who is a beneficiary to register the vehicle in the person's name pursuant to this chapter.

2 New Paragraph; Snowmobile Held By A Trust. Amend RSA 215-C:36 by inserting after paragraph IV the following new paragraph:

IV-a. If a snowmobile is held by a trust, the trust may designate a person who is a beneficiary to register the snowmobile in the person's name pursuant to this chapter.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill allows a trust holding an OHRV or snowmobile to designate a person to register the vehicle in his or her name.

SB 383, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. This bill establishes a commission to study the state's hiking trail network. The amendment adds the requirement to inventory the trail system, to define the role of individual trail maintenance groups in various parts of the state, and to make recommendations on how to improve the trail network. Vote 16-0.

Amendment (1526h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.

Amend the bill by replacing sections 1 and 2 with the following:

1 New Subdivision; Multi-use Statewide Trail System; Commission to Study and Recommend Improvements to the New Hampshire Hiking Trails Network. Amend RSA 216-F by inserting after section 6 the following new subdivision:

Commission to Study and Recommend Improvements

to the New Hampshire Hiking Trails Network

216-F:7 Commission Established; Membership.

- I. There is established a commission to study and recommend improvements to the New Hampshire hiking trails network. The members of the commission shall be as follows:
 - (a) One member of the senate, appointed by the president of the senate.
- (b) One member of the house of representatives, appointed by the speaker of the house of representatives.

- (c) The director of the department of resources and economic development, division of state parks, or designee.
 - (d) One representative from the Appalachian Mountain Club, appointed by the club.
 - (e) One representative from the Wonalancet Outdoor Club, appointed by the club.
- (f) One representative from the Dartmouth Outdoor Program/Dartmouth Outing Club, appointed by that organization.
 - (g) One representative from the Randolph Mountain Club, appointed by the club.
 - (h) One representative from Trailwrights, appointed by the organization.
- (i) One member representing the interests of the White Mountain National Forest, appointed by the administrator of the White Mountain National Forest.
- (j) One member from the Cardigan Highlanders Volunteer Trail Crew, appointed by that organization.
- (k) One member from the Monadnock-Sunapee Greenway Trail Club, appointed by that organization.
- II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
 - III. The commission shall:
- (a) Evaluate and recommend how various groups might work together to maintain and repair New Hampshire's trail network.
- (b) Inventory the trail system in New Hampshire and the role of individual trail maintenance groups in various parts of the state.
- (c) Create a list of who maintains which trails and which trails are not maintained by any organized group.
 - (d) Examine the historical management of trails in New Hampshire.
 - (e) Create strategic recommendations for a more sustainable trail network in New Hampshire.
- (f) Examine the cost and volunteer efforts required in maintaining these trails as well as liability protections for trail maintainers.
 - (g) Solicit the opinions of volunteer trail maintainers.
 - (h) Study the economic impact of trails in the state of New Hampshire.
 - (i) Research additional funding sources that could enhance trail maintenance in New Hampshire.
- (j) Solicit the advice of educational institutions which may want to be involved in trail maintenance and or trail maintenance research.
- (k) Make recommendations for creating a sustainable model for trail management while accommodating the growing use of the trails.
- IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.
- V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2017.
- 2 Repeal. RSA 216-F:7, relative to the commission to study and recommend improvements to the New Hampshire hiking trails network, is repealed.

AMENDED ANALYSIS

This bill establishes a commission to study and recommend improvements to the New Hampshire hiking trails network.

SB 333, relative to net energy metering. INEXPEDIENT TO LEGISLATE.

Rep. Douglas Thomas for Science, Technology and Energy. This bill mirrored HB 1116 which has already passed the House and been concurred with by the Senate. Therefore, this bill is unnecessary. Vote 14-0.

SB 436, relative to after market automobile parts. OUGHT TO PASS.

Rep. Thomas Walsh for Transportation. This bill prohibits an insurer from requiring or specifying aftermarket body parts on any leased vehicle or any new vehicle for up to two years or 30,000 miles. The bill codifies a portion of New Hampshire Department of Insurance bulletin insurance number

99-14-AB into statute for stronger enforceability. The committee felt this change was needed for consumer protection due to the value of vehicles and the lack of definitive information on the safety of some aftermarket parts. The amendment clarifies an insurer's responsibility when requesting aftermarket parts and allows an installer to file a complaint on the consumer's behalf. Vote 13-2.

SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for Ways and Means. This bill, as amended by the committee, brings New Hampshire business tax codes into alignment with the United States Internal Revenue Code in effect on December 31, 2015. The amendment makes several changes to the bill, including moving the timing and tax year applicability of the update from 2016 to 2017; it expands the number of exceptions to the code's application; and it increases the amount of a capped expense deduction. The amendment also does not allow for an automatic or "rolling" update to federal tax codes without state legislative action. The exceptions to the IRS code's application for NH tax purposes are codes related to Section 168(k), accelerated cost recovery system; Section 199, income attributable to domestic production activities; and Section 181, treatment of certain qualified film and television productions. In addition, Section 179 of the Internal Revenue Code related to expense deductions which are capped at \$500,000 at the federal level will be capped at \$100,000 by New Hampshire. This is an increase from the current \$25,000 level in New Hampshire statute. The sections of the Internal Revenue Codes brought up to date in New Hampshire statute by this bill include Section 108, income from discharge indebtedness; Section 195, start-up expenditures; Section 248, organizational expenditure; Section 709, treatment of organization and syndication fees; Section 179D, energy efficient commercial buildings deduction; Section 48, energy credit; and Section 114, extraterritorial income. To keep up with the Internal Revenue Code changes this bill directs the New Hampshire Commissioner of Revenue Administration to file a report not later than March 31 of each year with the Ways and Means Committees of the NH Senate and NH House of Representatives informing them of any changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings, which would impact New Hampshire. These bodies would then annually act to determine if those changes should be incorporated into New Hampshire statute. The goal of this legislation is to keep New Hampshire statutes as close to federal statutes where deemed appropriate by the legislature to streamline the tax filing process for New Hampshire businesses. Vote 19-0.

Amendment (1552h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Business Profits Tax; Definition; United States Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (l) the following new subparagraph:

- (m) For all taxable periods beginning on or after January 1, 2017, the United States Internal Revenue Code of 1986 in effect on December 31, 2015, subject to RSA 77-A:3-b.
- 2 New Section; Business Profits Tax; Adjustments; Internal Revenue Code. Amend RSA 77-A by inserting after section 3-a the following new section:
- 77-A:3-b Adjustments; Internal Revenue Code Provisions. In determining gross business profits for any period, before net operating loss and special deductions, a business organization shall apply the provisions of the United States Internal Revenue Code consistent with the provisions of this chapter, with the following adjustments:
 - I. The United States Internal Revenue Code shall be applied without section 168(k) of such code.
 - II. The United States Internal Revenue Code shall be applied without section 199 of such code.
 - III. The United States Internal Revenue Code shall be applied without section 181 of such code.
 - IV. Section 179 of the Internal Revenue Code shall be applied as provided in RSA 77-A:3-a.
- 3 Applicability. Section 2 of this act shall apply to taxable periods beginning on or after January 1, 2017.
- 4 Business Profits Tax; Section 179 Expense Deductions. RSA 77-A:3-a is repealed and reenacted to read as follows:
- 77-A:3-a Expense Deductions. In determining gross business profits before net operating loss and special deductions, a business organization shall calculate expense deductions as permitted under Section 179 of the Internal Revenue Code as provided in RSA 77-A:1, XX, except that for property placed in service on or after January 1, 2017, a business organization shall calculate expense deductions not to exceed \$100,000.

5 New Paragraph; Duties of the Commissioner of Revenue Administration; Report; Internal Revenue Code Changes. Amend RSA 21-J:3 by inserting after paragraph XXXII the following new paragraph:

XXXIII. File a report not later than March 31 of each year with the ways and means committees of the senate and the house of representatives informing the committees of any changes to the United States Internal Revenue Code, related Treasury Regulations, and administrative rulings, which would impact New Hampshire.

- 6 Repeal. RSA 77-A:1, X(g), relative to a reference to the Internal Revenue Code, is repealed.
- 7 Effective Date.
 - I. Section 4 of this act shall take effect January 1, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill updates the effective version of the United States Internal Revenue Code of 1986 applicable to the business profits tax, subject to certain adjustments. The bill also requires the commissioner of revenue administration to report annually on changes to the Internal Revenue Code.

SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick Abrami for Ways and Means. This bill corrects a flaw in our tax statutes. NH taxes partnerships, sub-chapter S corporations and LLCs differently than does the federal government and the vast majority of states. The federal government and most states treat all net income or loss from one of these three entities as a pass through on the owner's personal tax returns. Since NH does not have a personal income tax, NH taxes the entity with both the Business Enterprise Tax (BET) and Business Profit Tax (BPT). When the interest in one of these types of organizations is sold for more than the owner's basis, NH imposes BPT on the business organization, for the difference between the sales price and the seller's basis. In return the business organization gets to increase the basis of its assets in an amount equal to the purchase price less the previous owner's basis. This is referred to as a step-up in basis. The Business Tax Commission had identified this situation as a flaw that hurts NH's competitiveness and significantly disadvantages small businesses, especially start-up businesses. This bill fixes this flaw in current statute. The bill approved by and sent over by the Senate eliminated the tax on the business entity. This bill was amended to give the business entity the choice between not paying the tax and therefore not getting the step-up in basis or paying the tax and getting the step-up in basis. This amendment provides the needed flexibility for NH businesses. Vote 15-0.

Amendment (1308h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the sale or exchange of an interest in a business organization under the business profits tax.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Sale or Exchange of an Interest in a Business Organization. RSA 77-A:4, XIV is repealed and reenacted to read as follows:
- XIV.(a) In the case of a business organization where an ownership interest in the business organization is sold or exchanged and the transaction, for federal income tax purposes results in an increase in the basis of the assets for one or more of the parties to the transaction, the business organization shall:
- (1) Add to the gross business profits of the business organization, for each taxable period, an amount equal to the annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and
- (2) Calculate the gain or loss on the sale or other disposition of an asset without regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.
- (b) A business organization may, for a particular sale or exchange, make an irrevocable election on a timely filed return including any extension period, to recognize the basis increase of the assets for one or more of the parties to the transaction for federal income tax purposes. Such business organization for the purposes of the business profits tax shall:

- (1) Be required to make an addition to gross business profits of the business organization equal to the net increase in the basis of all assets transferred or sold in the tax period in which the sale or exchange of the ownership interest occurs;
- (2) Be allowed a deduction against its gross business profits for annual depreciation or amortization attributable to the increase in the basis of the assets recognized by the parties to the transaction for federal income tax purposes; and
- (3) Calculate the gain or loss on the sale or other disposition of an asset with regard to the basis increase recognized by any party to the transaction for federal income tax purposes, from the sale or exchange of the ownership interest in the business organization.
- 2 Applicability. This act shall take effect for sales or exchanges of interests in business organizations that occur on and after January 1, 2016.
 - 3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill limits the inclusion in the business profits tax of the net increase due to certain sales or exchanges of an interest or beneficial interest in a business organization.

SB 440-FN, repealing the repeal of certain fees in the shoreland protection act. OUGHT TO PASS WITH AMENDMENT.

Rep. Bill Ohm for Ways and Means. Funding for this program is due to expire July 1, 2016. The committee feels the program deserves to be extended for another 3 years, after which the amount in the dedicated fund can be reviewed and the fee can be re-evaluated. The Senate bill eliminated the expiration date while the committee amendment simply changes the expiration date to July 1, 2019. Vote 19-0.

Amendment (1564h)

Amend the title of the bill by replacing it with the following:

AN ACT extending the date of the repeal of certain fees in the shoreland protection act.

Amend the bill by replacing section 1 with the following:

1 Shoreland Protection Act; Fees; Repeal; Effective Date. Amend 2008, 5:28, II as amended by 2011, 224:408 to read as follows:

II. Section 27 of this act shall take effect July 1, [2016] 2019.

AMENDED ANALYSIS

This bill extends the date of the repeal of certain fees in the shoreland protection act.

SB 494-FN-A, limiting an exemption from the road toll. OUGHT TO PASS.

Rep. Robert Nigrello for Ways and Means. The bill eliminates the exemption for federal vehicles from the New Hampshire road toll. The bill maintains the federal military vehicle exemption. The committee agrees that all vehicles using our state roads should contribute to the maintenance of the roads. Vote 19-0.

SB 510-FN, relative to parking at state park parking meters. OUGHT TO PASS.

Rep. Patrick Abrami for Ways and Means. The State Park License Plate was enacted in 2010 under RSA 261:75-c for the purpose of benefiting the state park system. Currently the park plate provides access to day use areas, but not for parking at meters. The intent of this bill is to allow for vehicles displaying this type of plate at metered seacoast parking facilities up to 6 hours of continuous free use during the off-season when it would not affect overall revenues to the park system. This legislation was reviewed and supported by the State Parks System Advisory Council. This is seen as an incentive to increase plate sales with no impact on metered parking revenue because, unlike the summer season, the parking lots are seldom full during the off-season dates prescribed in the bill. The increase in State Park Plate purchases would help support the operation of the entire park system, providing a steady revenue stream especially when revenue is impacted by weather. In addition, this legislation would allow the Division of Parks and Recreation of the Department of Resources and Economic Development to increase the fees at the meters during holidays and weekends. This is consistent with statutory direction under RSA 216-A: 3-g that provides the agency the ability to maximize revenues and to adjust fees according to market conditions as is the common practice in private industry with the approval of the Joint Fiscal Committee. Vote 18-0.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems. OUGHT TO PASS.

Rep. Mary Cooney for Ways and Means. This bill was passed by the Transportation Committee and came to the Ways and Means Committee for evaluation of the fees. It was developed by a study committee (SB 173 Chapter 34:1, Laws of 2015) to mirror the fees imposed upon snowmobile owners. The purpose is to collect fees in order to fund the maintenance of trails for OHRV (off highway recreation vehicle) use. The effective date for collection is May 1, 2017 with FY 2018 being the first year of revenue impact. This will give the NHOHVA (New Hampshire Off Highway Vehicle Association) enough time to raise funds for the electronic registration system needed to compliment the system. As with the snowmobile association, this will allow those who do not wish to join a club to still contribute to trail maintenance. In addition, there is a provision for the Executive Director of the Fish and Game Department, in conjunction with NHOHVA, to look at other issues that may arise, such as one time use for extracting a deer taken during hunting season. A report to the legislature by December 1, 2017 is required. Vote 17-1.

REGULAR CALENDAR

SB 506, clarifying who may adopt. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Daniel Itse for the Majority of Children and Family Law. This bill as amended expands the family arrangements which may be created by adoption. First, it recognizes the same sex marriages the legislature created in 2008. Second, it accepts those families who chose not to have a state sanctioned marriage. Third, it accepts family members who are acting to protect minors who have lost their parents. But it maintains the historical position that a child thrives best in intact families. Vote 7-4.

Rep. Martha Hennessey for the Minority of Children and Family Law. As originally written, this bill encouraged broad petitions for adoption while the amendment makes limits based on undefined terms, such as "familial." This bill was designed to encourage petitions for adoption and not to limit.

Majority Amendment (1771h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to adoption.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Adoption; Who May Adopt. Amend RSA 170-B:4, I to read as follows:
 - I. [Husband and wife together] A married couple.
- 2 New Paragraphs; Adoption; Who May Adopt. Amend RSA 170-B:4 by inserting after paragraph VI the following new paragraphs:
- V. Two unmarried adults in a familial relationship. In this paragraph, a familial relationship shall be determined by considering all relevant circumstances of the petitioners, including, but not limited to:
 - (a) The sharing of a common residence.
 - (b) Economic interdependence, such as jointly owning or renting a home.
 - (c) A shared commitment to parenting duties and responsibilities.
 - VI. Any 2 family members.
 - 3 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill permits a married couple, 2 unmarried adults in a familial relationship, or any 2 family members to adopt.

Rep. Martha Hennessey spoke against.

Rep. Itse spoke in favor.

On a division vote, with 150 members having voted in the affirmative, and 137 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Porter requested a roll call; sufficiently seconded.

YEAS 151 NAYS 193

YEAS - 151 BELKNAP

Aldrich, Glen Gallagher, Brian Varney, Peter Dumais, Russell Hurt, George Tilton, Franklin Sylvia, Michael Flanders, Donald Fraser, Valerie

CARROLL

Avellani, Lino McConkey, Mark Umberger, Karen Chandler, Gene Nelson, Bill Comeau, Ed Parker, Harold Crawford, Karel Schmidt, Stephen

CHESHIRE

Ames, Richard McConnell, James Tilton, Benjamin Sterling, Franklin Emerson, Susan

Hunt, John

Fothergill, John

Richardson, Herbert

COOS Tholl, John

GRAFTON

Bailey, Brad Ladd, Rick Darrow, Stephen Johnson, Eric

Hull, Robert

Balcom, John

Christensen, Chris

Edwards, Elizabeth

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Coffey, James Estevez, Eric Gargasz, Carolyn Hopper, Gary Kurk, Neal McLean, Mark Peterson, Ken Rouillard, Claire Simmons, Tammy Sullivan, Victoria Ammon, Keith Bouldin, Amanda Danielson, David Flanagan, Jack Haefner, Robert Infantine, William Ober, Lynne Murotake, David Pierce, David Rowe, Robert Souza, Kathleen Wolf, Terry Griffin, Barbara
Burt, John
Donovan, Daniel
Fromuth, Bart
Hansen, Peter
Belanger, James
Lachance, Joseph
Murphy, Keith
Proulx, Mark
Schleien, Eric
Straight, Phillip

Smith, Gregory Hinch, Richard Rice, Kimberly Martel, Andre Pellegrino, Anthony Ober, Russell Scontsas, Lisa Takesian, Charlene

MERRIMACK

McGuire, Dan Kotowski, Frank Hoell, J.R. Kuch, Bill Horn, Werner Martin, John

Zaricki. Nick

Kidder, David Seaworth, Brian

ROCKINGHAM

Christie, Andrew
Cardon, G. Thomas
Dean-Bailey, Yvonne
Emerick, J. Tracy
Friel, William
Introne, Robert
Katsakiores, Phyllis
Manning, John
Milz, David
Packard, Sherman
Gordon, Richard
Sytek, John
Weyler, Kenneth

Abrami, Patrick Chirichiello, Brian DeSimone, Debra Chase, Francis Green, Dennis Itse, Daniel Kolodziej, Walter Matthews, Carolyn Nigrello, Robert Peckham, Michele Tilton, Rio Vose, Michael Abramson, Max Cook, Allen Devine, James Rice, Frederick Guthrie, Joseph Sweeney, Joe Griffin, Mary McBeath, Rebecca O'Connor, John Potucek, John Schroadter, Adam Webb, James Barnes, Arthur
Thomas, Douglas
Doucette, Fred
Fesh, Robert
Hoelzel, Kathleen
Ward, Joanne
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sherman, Thomas

STRAFFORD

Berube, Roger Gray, James Pitre, Joseph Bickford, David Hannon, Joseph Whitehouse, Joshua Cheney, Catherine Jones, Laura

Graham, Robert Kaczynski, Thomas

Welch, David

SULLIVAN

Schmidt, Andrew Grenier, James O'Hearne, Andrew Rollins, Skip Smith. Steven

NAYS - 193 BELKNAP

Fields, Dennis Howard, Raymond LeBreche, Shari Spanos, Peter

CARROLL

Buco, Thomas Butler, Edward Cordelli, Glenn Ticehurst, Susan

CHESHIRE

Abbott, Michael Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Roberts, Kris Ley, Douglas Mann, John Parkhurst, Henry Pearson, William Phillips, Larry Robertson, Timothy Sad, Tara Shepardson, Marjorie Weber, Lucy

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Rideout, Leon Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Cooney, Mary Brown, Duane Hennessey, Erin Ford, Susan Higgins, Patricia Hennessev, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Baroody, Benjamin Roberts, Carol Cohen, Alan DiSilvestro, Linda Edelblut, Frank Freitas, Mary Gagne, Larry Gorman, Mary Gould, Linda Harvey, Suzanne Heath, Mary Jack, Martin LeBrun, Donald Mangipudi, Latha Manley, Jonathan McNamara, Richard Notter, Jeanine Brown, Pamela Long, Patrick Christie, Rick Walsh, Robert Seidel, Carl Shattuck, Gilman Stepanek, Stephen Soucy, Timothy

Vann, Ivy

Ulery, Jordan

Woodbury, David

Boehm, Ralph Cornell, Patricia Ferreira, Elizabeth Gidge, Kenneth Goulette, William Herbert, Christopher Leishman, Peter Marston, Dick O'Neil, William Palmer, Barry Rosenwald, Cindy Shaw, Barbara Smith, Timothy O'Brien, William Byron, Frank
Cote, David
Forest, Armand
Goley, Jeffrey
Guerette, C. Lee
Hogan, Edith
O'Brien, Michael
McClarren, Donald
Ohm, Bill
Porter, Marjorie
Sanborn, Laurie
Snow, Kendall
Twombly, Timothy
Williams, Kermit

MERRIMACK

Turcotte, Alan French, Barbara Brewster, Michael McGuire, Carol Long, Douglas Deloge, Helen Gile, Mary French, Harold Frazer, June Karrick, David MacKay, James Marple, Richard Patten, Dick Ratzki, Mario Schuett, Dianne Shurtleff, Stephen Wheeler, Deborah

Bartlett, Christy Rice, Chip Doherty, David Henle, Paul Kenison, Linda Moffett, Howard Rogers, Katherine Walsh, Thomas

Bradley, Paula Carson, Clyde Ebel, Karen Hill, Gregory Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie
Duarte, Joe	Edgar, Michael	Elliott, Robert	Ferrante, Beverly
Francese, Paula	Ward, Gerald	Gannon, William	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Kappler, Lawrence	Lovejoy, Patricia
Lundgren, David	Gordon, Pamela	Pantelakos, Laura	Simpson, Alexis
Spillane, James	True, Chris		

STRAFFORD

Baber, William	Beaudoin, Steven	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DeLemus, Susan	DiSesa, Len	Gardner, Janice
Horrigan, Timothy	Ward, Kenneth	Kaen, Naida	Knowles, Robert
Turcotte, Leonard	Leeman, Don	Smith, Marjorie	Schmidt, Peter
Rollo, Deanna	Southworth, Thomas	Spang, Judith	Sprague, Dale
Treleaven, Susan	Verschueren, James	Wall, Janet	Wuelper, Kurt

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	

and the majority committee report failed.

Rep. Long moved the minority committee report of Inexpedient to Legislate. Minority committee report adopted.

SB 537, relative to record management of abuse and neglect reports. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Skip Berrien for the Majority of Children and Family Law. This bill extends the length of time that the Division of Children, Youth and Families retains child protection records in order that subsequent investigations can be more complete. Reported cases which are not investigated will be retained for 7 years. Investigated cases which are not substantiated will be retained for 10 years. Substantiated cases will be retained indefinitely. These extended record retentions will identify patterns of potential maltreatment which are important for protection against further abuse or neglect. Vote 11-3.

Rep. Daniel Itse for the Minority of Children and Family Law. This bill increases the records retention time for abuse and neglect cases. It increases screened-out cases from 1 to 7 years, unfounded cases from 3 to 10 years, and founded cases from 7 years to forever. This bill reverses the act of the legislature in 2002, introduced by then-Senator Gordon, which continued the then-existing limits on unfounded and founded cases and established limits on screened-out cases. The minority agrees that the limits ought to be reviewed and with the establishment of triggers to continue retention, but believes this increase in limits to be excessive.

The question being adoption of the majority committee report of Ought to Pass. Rep. Itse offered floor amendment (1899h).

Floor Amendment (1899h)

Amend RSA 169-C:35-a, I and II as inserted by section 2 of the bill by replacing it with the following:

I. The department shall retain a screened-out report for 3 years from the date that the report was screened out. If during the 3-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain information from the prior and subsequent reports for an additional 3 years from the date a subsequent report is screened out, an additional 3 years from the date a subsequent report is deemed unfounded, and indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the retention period for the most recent report expires.

II. The department shall retain an unfounded report for 5 years from the date that the department determined the case to be unfounded. If during the 5-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain the information from the prior and subsequent reports for an additional 5

years from the date the subsequent report is screened out or deemed unfounded, or indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the most recent report expires.

AMENDED ANALYSIS

This bill revises the record retention requirements for founded, unfounded, and screened-out reports of abuse or neglect.

Rep. Itse spoke in favor.

Rep. Berrien spoke against.

On a division vote, with 163 members having voted in the affirmative, and 181 in the negative, floor amendment (1899h) failed.

The question now being adoption of the majority committee report of Ought to Pass.

Rep. Itse spoke against and yielded to questions.

Rep. Spillane spoke against.

Rep. Berrien spoke in favor.

Rep. Potucek requested a roll call; sufficiently seconded.

Sykes, George

YEAS 169 NAYS 179

YEAS - 169 BELKNAP

Tilton, Franklin

Smith, Suzanne

CARROLL

Buco, Thomas Ticehurst, Susan	Butler, Edward Umberger, Karen	Crawford, Karel	McConkey, Mark
	C	HESHIRE	
Abbott, Michael Chase, Cynthia Ley, Douglas Phillips, Larry Tatro, Bruce	Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy	Berch, Paul Ernerson, Susan Parkhurst, Henry Sad, Tara	Bordenet, John Hunt, John Pearson, William Shepardson, Marjorie
		COOS	
Fothergill, John Tholl, John	Froburg, Alethea Thomas, Yvonne	Hatch, William	Moynihan, Wayne
	G	RAFTON	
Abel, Richard Hennessey, Erin Maes, Kevin	Almy, Susan Ford, Susan Massimilla, Linda	Bennett, Travis Higgins, Patricia Nordgren, Sharon	Cooney, Mary Hennessey, Martha Piper, Wendy

Massimilla, Linda Nordgren, Sharon Townsend, Charles

Piper, Wendy

	HILI		
Backus, Robert	Baroody, Benjamin	Barry, Richard	Biggie, Barbara
Christensen, Chris	Roberts, Carol	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Smith, Gregory	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Guerette, C. Lee	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Jack, Martin	Ober, Lynne
LeBrun, Donald	Leishman, Peter	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Neil, William	Brown, Pamela
Long, Patrick	Palmer, Barry	Porter, Marjorie	Walsh, Robert
Rosenwald, Cindy	Schleien, Eric	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Smith, Timothy	Vann, Ivy
Williams, Kermit	Wolf, Terry	Woodbury, David	•

MERRIMACK

French, Barbara Carson, Clyde Gile, Mary Kenison, Linda Moffett, Howard Saunderson, George Wheeler, Deborah Bartlett, Christy Long, Douglas Henle, Paul Kotowski, Frank Myler, Mel Schuett, Dianne Bradley, Paula Deloge, Helen Frazer, June Luneau, David Ratzki, Mario Shurtleff, Stephen Rice, Chip Doherty, David Karrick, David MacKay, James Rogers, Katherine Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew
Cali-Pitts, Jacqueline
DiFranco, Debbie
Friel, William
Matthews, Carolyn
Prudhomme-O'Brien, Katherine

Berrien, Skip Cushing, Robert Edgar, Michael Ward, Gerald Milz, David Sherman, Thomas Borden, David DeSimone, Debra Elliott, Robert Heffron, Frank Gordon, Pamela Simpson, Alexis Cahill, Michael Devine, James Francese, Paula Lovejoy, Patricia Pantelakos, Laura

STRAFFORD

Baber, William Cilley, Jacalyn Horrigan, Timothy Schmidt, Peter Sprague, Dale Berube, Roger DiSesa, Len Ward, Kenneth Rollo, Deanna Treleaven, Susan Bixby, Peter Gardner, Janice Kaen, Naida Southworth, Thomas Verschueren, James Burton, Wayne Gray, James Smith, Marjorie Spang, Judith Wall, Janet

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Cloutier, John Irwin, Virginia Converse, Larry O'Hearne, Andrew Gagnon, Raymond Oxenham, Lee

NAYS - 179 BELKNAP

Aldrich, Glen Gallagher, Brian Spanos, Peter Dumais, Russell Howard, Raymond Sylvia, Michael Fields, Dennis Hurt, George Fraser, Valerie Flanders, Donald LeBreche, Shari Varney, Peter

CARROLL

Avellani, Lino Nelson, Bill Chandler, Gene Parker, Harold Comeau, Ed Schmidt, Stephen

Cordelli, Glenn

CHESHIRE

Tilton, Benjamin

Roberts, Kris

McConnell, James

Sterling, Franklin

Richardson, Herbert Rideout, Leon

GRAFTON

COOS

Bailey, Brad Gionet, Edmond White. Andrew Brown, Duane Hull, Robert Darrow, Stephen Ingbretson, Paul

Johnson, Eric Ladd, Rick

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Coffey, James Edelblut, Frank Fromuth, Bart Goulette, William Hopper, Gary Ammon, Keith Bouldin, Amanda Danielson, David Estevez, Eric Gagne, Larry Haefner, Robert Infantine, William Griffin, Barbara
Burt, John
Donovan, Daniel
Ferreira, Elizabeth
Gorman, Mary
Hansen, Peter
Belanger, James

Balcom, John Byron, Frank Eastman, Eric Flanagan, Jack Gould, Linda Hogan, Edith Rice, Kimberly Christiansen, Lars Lachance, Joseph McClarren, Donald McLean, Mark Notter, Jeanine Ohm. Bill Peterson, Ken Pierce, David Ober, Russell Rouillard, Claire Scontsas, Lisa Seidel, Carl Stepanek, Stephen Straight, Phillip Ulery, Jordan Sullivan, Victoria

Marston, Dick Murotake, David Parison, James Proulx, Mark Rowe, Robert Simmons, Tammy Takesian, Charlene O'Brien, William Martel, Andre Murphy, Keith Pellegrino, Anthony Christie, Rick Sanborn, Laurie Souza, Kathleen Twombly, Timothy Zaricki, Nick

MERRIMACK

Turcotte, Alan Ebel, Karen Horn, Werner Martin, John Brewster, Michael French, Harold Kidder, David Patten, Dick McGuire, Carol Hill, Gregory Kuch, Bill Seaworth, Brian

McGuire, Dan Hoell, J.R. Marple, Richard Walsh, Thomas

ROCKINGHAM

Abrami, Patrick Bates, David Thomas, Douglas Emerick, J. Tracy Fesh, Robert Harris, Jeffrey Sweeney, Joe Kolodziej, Walter Manning, John O'Connor, John Potucek, John

Spillane, James

Webb, James

Abramson, Max
Cardon, G. Thomas
Dean-Bailey, Yvonne
Chase, Francis
Gannon, William
Hodgdon, Bruce
Ward, Joanne
Lundgren, David
McBeath, Rebecca
Osborne, Jason
Gordon, Richard
Sytek, John
Weyler, Kenneth

Baldasaro, Alfred Chirichiello, Brian Doucette, Fred Rice, Frederick Green, Dennis Introne, Robert Kappler, Lawrence Griffin, Mary McMahon, Charles Packard, Sherman Tilton, Rio True, Chris

Barnes, Arthur Cook, Allen Duarte, Joe Ferrante, Beverly Guthrie, Joseph Itse, Daniel Katsakiores, Phyllis Major, Norman Nigrello, Robert Peckham, Michele Schroadter, Adam Vose, Michael

STRAFFORD

Beaudoin, Steven Graham, Robert Kaczynski, Thomas Pitre, Joseph Bickford, David Groen, Warren Knowles, Robert Whitehouse, Joshua

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Wuelper, Kurt

DeLemus, Susan Jones, Laura Leeman, Don

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report failed.

Rep. Itse moved the minority committee report of Inexpedient to Legislate.

On a division vote, with 201 members having voted in the affirmative, and 148 in the negative, the minority committee report was adopted.

SB 411, relative to the merger of lots that are mortgaged. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kermit Williams for the Majority of Commerce and Consumer Affairs. This bill changes the procedure for the voluntary merger of land parcels. It limits the ability to merge the parcels if mortgages are involved. The merger cannot take place if there are multiple different mortgages on the parcels, and consent must be obtained from the mortgage holder if the merger is otherwise permitted. The committee added a change to the statute for the reversal of prior involuntary mergers. We removed the sunset date for requesting the reversal of such a mortgage, which will be allowed as long as the merger was not recorded by deed with the Registry of Deeds. Vote 18-2.

Rep. Laurie Sanborn for the Minority of Commerce and Consumer Affairs. Both the original bill and the bill as amended require property owners to obtain written permission from mortgage holder(s) when they want to merge contiguous lots if they have a lien on one of the properties, even if the landowner owns the other property outright. In doing so, this bill reduces property owners' rights and gives more power to banks and planning boards. Current law allows you to apply for a voluntary

merger and have it approved without attempting to get bank permission. Banks are hard to reach, mortgage holders can change frequently, and we heard testimony that 99% of them will never approve such a merger. The minority felt that there was no clear and compelling need presented to demonstrate why passage of this bill was needed at this time.

Majority Amendment (1806h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the merger of lots.

Amend RSA 674:39-a, II as inserted by section 1 of the bill by replacing it with the following:

II. No merger shall be allowed if there are mortgages on more than one of the separate lots proposed to be merged and such mortgages are held by different mortgage holders. If a merger is allowed, the written consent of each holder of a mortgage shall be required a s a condition to the approval of the merger. If the merger is approved, then the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The consent of each mortgage holder shall be required to be recorded with notice of the merger pursuant to paragraph I. The municipality shall not be liable for any deficiency in the notice to mortgage holders.

Amend the bill by inserting after section 1 the following and renumbering the original section 2

to read as 3:

- 2 Restoration of Involuntarily Merged Lots. Amend RSA 674:39-aa, II(a) to read as follows:
- (a) [The request is submitted to the governing body prior to December 31, 2016] The merger was not recorded by deed with the register of deeds.

AMENDED ANALYSIS

This bill requires that mortgage holders approve the voluntary merger of lots and prohibits merger if there are mortgages on multiple lots and the mortgages are held by different persons. This bill also provides that requests for restoration of lots that were involuntarily merged are limited to mergers not recorded by deed filed with the register of deeds.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 532-FN, relative to prior authorization for substance abuse treatment. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. A bipartisan majority of the committee believes that this bill will make very significant pro-patient improvements to NH's laws regarding prior authorization for inpatient substance use treatment, and will dramatically expedite the approval of effective treatment that is most likely to lead to recovery. It also reflects a very fair compromise reached by the stakeholders and substantial concessions by the insurance carriers. First, the bill defines "clinical stabilization services" and "short-term inpatient withdrawal management." Furthermore, for those carriers that require prior authorization for inpatient substance use disorder services, this bill requires each carrier to either a) grant to the patient 24 hours of inpatient care without prior authorization while the patient's provider and carrier determine an appropriate care plan, or b) have a 24/7/365 hotline that the patient's treating clinician can call to get a medical necessity determination and the carrier's assistance with patient placement. Under this second option, the carrier must provide a prior authorization decision as soon as practicable, but no more than 6 hours after receiving the treating clinician's clinical rationale consistent with the American Society of Addiction Medicine (ASAM) criteria adopted per SB 576 which was adopted earlier this session. These new requirements for carriers will provide significant benefits to NH residents in need of prompt admission for inpatient substance use treatment. These requirements do not exist in current law today and directly address concerns that have been raised. The 6-hour turn around is also a very significant concession made by the carriers, and is even lower than the 12-hour turn around in the Senate-passed version of this bill. While most prior authorization requests are currently granted immediately, current NH law allows for up to a 72-hour turnaround time and up to a 24-hour turn around time in emergent situations. Thus, this bill now cuts the statutory prior authorization turn around time down by as much as 75%-92%. Importantly, this bill does not include a new mandate sought by a minority of the committee that would require carriers to pay for inappropriate and inefof the committee strongly believes that if the prior authorization request is not granted due to

the requested treatment being inconsistent with ASAM criteria, then there should not be a new mandate for carriers to pay for inappropriate services. The legislature should not be passing new mandates that create perverse incentives and unintended consequences, including rewarding providers who fail to appropriately apply the nationally-accepted standard of ASAM criteria, putting upward pressure on insurance premiums by requiring carriers to pay for inappropriate treatment, exacerbating the treatment capacity shortages that already exist in NH's substance use disorder inpatient care system, and undermining the critical role that prior authorization plays in ensuring patient safety and managing health care costs. The committee thoroughly vetted this type of new mandate, and the majority of the committee soundly rejected it. This bill as amended by the majority will provide significant improvements and many important benefits to NH residents who are in need of substance use treatment. Vote 13-7. Rep. Joseph Hannon for the Minority of Commerce and Consumer Affairs. The committee debate on this bill centered on a single word change; which, in the opinion of the minority, had the unfortunate result of completely undercutting the purpose of this bill. The majority agreed to a request from the insurance carriers to change the word on lines 13-14 on page 2, from "until" to "after." In short, this change has the result of forcing individuals in need of acute substance use disorder treatment to wait for up to 6 hours for health insurance carrier approval to access clinically appropriate services. The minority believes this change must be undone. The committee heard testimony from numerous stakeholders that, when an individual is at the point of agreeing to seek help for their addiction, the window of opportunity is often short - sometimes lasting less than 45 minutes. It is important to reiterate that the purpose of this bill is to ensure that individuals have immediate preliminary access to services, so clinically appropriate treatment can be obtained without delay. Furthermore, this bill requires treating clinicians to make medical necessity determinations using American Society of Addiction Medicine criteria before services can be rendered. The majority's argument that these criteria can be interpreted differently by different providers and, therefore, the carrier must have the ability to review medical necessity through a prior authorization is well taken, but falls short. When reviewing opioid claims for substance use disorder treatment services from 2014 to 2015, the New Hampshire Insurance Department found that of 11,650 total claims, the carrier's specialist agreed with the treating provider's assessment 99.54% of the time, or in 11,596 of those cases. The majority would have you believe that the carrier's interest in preventing 56 cases of disagreement on treatment criteria is more valuable than providing immediate access to critically necessary services for more than 11,600 people. Given the overwhelming rate at which the carriers ultimately agree with the treating clinician's assessment, it is clear to the minority that requiring prior authorization for these services is an artificial, and unnecessary, barrier to treatment. The immediacy of serving this population, given the risk of overdose and death, should not be overlooked. New Hampshire is facing an epidemic, and providing for immediate access to services is one important way to stem the tide of overdose deaths. As one father said, "a carrier's lost opportunity to manage care is nothing compared to a parent's loss of a child." Changing back the word "after" to "until" would remove a critical barrier to treatment, permitting immediate access to critical services for tens of thousands suffering in New Hampshire. This change is simply good policy.

Majority Amendment (1778h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to prior authorization for substance use treatment.

Amend the bill by replacing all after the enacting clause with the following:

1 Substance Use Disorders; Definitions. Amend RSA 420-J:15 to read as follows:

420-J:15 Definitions. In this subdivision:

I. "ASAM criteria" means the latest edition of the Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, developed by the American Society of Addiction Medicine.

II. "Clinical stabilization services" means 24-hour clinically managed post-withdrawal management treatment for adults or adolescents which may include intensive education and counseling regarding the nature of addiction and its consequences, relapse prevention, outreach to families and significant others, and after-care planning, for individuals beginning to engage in recovery from addiction.

III. "Short-term inpatient withdrawal management" means 24-hour medically supervised addiction treatment for adults or adolescents provided in medically-managed or medically-monitored inpatient facilities that provide evaluation and withdrawal management and which may include biopsychosocial assessment, individual and group counseling, psychological educational groups, and discharge planning.

IV. "Substance use disorder services" means health care services that are provided to a covered person as treatment for an addictive substance-related condition, not including treatment for any

condition related to tobacco use.

2 Substance Use Disorders; Prior Authorization. Amend RSA 420-J:17 to read as follows:

420-J:17 Prior Authorization.

I. Whenever substance use disorder services are a covered benefit under a health benefit plan subject to this chapter, no prior authorization shall be required for the first 2 routine outpatient visits of an episode of care by an individual for assessment and care with respect to a substance use disorder.

II. Whenever substance use disorder services are a covered benefit under a health benefit plan subject to this chapter, no prior authorization shall be required for short-term inpatient withdrawal management and clinical stabilization services for up to 24 hours, when prescribed by a clinician trained in the use and application of the ASAM criteria; provided, that the facility notifies the patient's health carrier as soon as practicable after admission of the patient. If the facility fails to notify the patient's health carrier as soon as practicable after admission of the patient, the facility shall be financially responsible for the costs of any services provided by the facility to the patient.

III. Alternatively, a carrier may require prior authorization for the services described in paragraph II, but only if the carrier has a medical clinician or licensed alcohol and drug counselor available on a 24-hour hotline to make the medical necessity determination and assist with placement at the appropriate level of care, and the carrier provides a prior authorization decision as soon as practicable after receipt from the treating clinician of the clinical rationale consistent with the ASAM criteria, but in no event more than 6 hours of receiving such information; provided that after such hotline determination is made, coverage for substance use disorder services shall be provided at an appropriate level of care consistent with the ASAM criteria, as defined in RSA 420-J:15, I.

IV. If an insurance policy does not require prior authorization for short-term inpatient withdrawal

management services or clinical stabilization services, paragraphs II and III shall not apply.

V. Nothing in this section shall be construed to require coverage for services provided by a non-participating provider.

3 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill clarifies prior authorization requirements under the managed care law for substance use services.

On a division vote, with 274 members having voted in the affirmative, and 66 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hannon offered floor amendment (1920h).

Floor Amendment (1920h)

Amend RSA 420-J:17, III as inserted by section 2 of the bill by replacing it with the following:

III. Alternatively, a carrier may require prior authorization for the services described in paragraph II, but only if the carrier has a medical clinician or licensed alcohol and drug counselor available on a 24-hour hotline to make the medical necessity determination and assist with placement at the appropriate level of care, and the carrier provides a prior authorization decision as soon as practicable after receipt from the treating clinician of the clinical rationale consistent with the ASAM criteria, but in no event more than 6 hours of receiving such information; provided that until such hotline determination is made, coverage for substance use disorder services shall be provided at an appropriate level of care consistent with the ASAM criteria, as defined in RSA 420-J:15, I. Rep. Hannon spoke in favor.

Rep. Hunt spoke against.

Rep. Butler spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 210 NAYS 139

YEAS - 210 BELKNAP

Aldrich, Glen Tilton, Franklin Fisher, Robert Gallagher, Brian

CARROLL

Avellani, Lino Buco, Thomas Butler, Edward Ticehurst, Susan

CHECHIDI

CHESHIRE

Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul Chase, Cynthia Eaton, Daniel Emerson, Susan Roberts, Kris Ley, Douglas Mann, John McConnell, James Parkhurst, Henry Pearson, William Phillips, Larry Sad. Tara Shepardson, Marjorie Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bailey, Brad Bennett, Travis Cooney, Mary Hennessey, Erin Ford, Susan Gionet, Edmond Higgins, Patricia Hull, Robert Hennessey, Martha Maes. Kevin Massimilla, Linda Nordgren, Sharon Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Adams, Christopher Backus, Robert Bouldin, Amanda Roberts, Carol Cote, David Danielson, David Eastman, Eric Edwards, Elizabeth Freitas, Marv Smith, Gregory Gorman, Mary Goulette, William Heath, Mary Herbert, Christopher Jack, Martin Rice, Kimberly O'Brien, Michael Mangipudi, Latha McClarren, Donald McNamara, Richard Notter, Jeanine O'Neil, William Parison, James Pierce, David Walsh, Robert Rosenwald, Cindy Scontsas, Lisa Shattuck, Gilman Snow, Kendall Soucy, Timothy Vann, Ivv Williams, Kermit

Balcom, John Cohen, Alan DiSilvestro, Linda Estevez, Eric Gidge, Kenneth Guerette, C. Lee Hogan, Edith Christiansen, Lars Manley, Jonathan Murotake, David Brown, Pamela Porter, Marjorie Rouillard, Claire Shaw, Barbara Smith, Timothy Wolf, Terry

Baroody, Benjamin Cornell, Patricia Donovan, Daniel Forest, Armand Goley, Jeffrey Harvey, Suzanne Hopper, Gary Lachance, Joseph Marston, Dick Murphy, Keith Long, Patrick Proulx, Mark Schleien, Eric Simmons, Tammy Takesian, Charlene Woodbury, David

MERRIMACK

Turcotte, Alan Brewster, Michael Doherty, David Hill, Gregory Kenison, Linda Moffett, Howard Rogers, Katherine Shurtleff, Stephen

Zaricki, Nick

French, Barbara Rice, Chip Ebel, Karen Horn, Werner Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane Bartlett, Christy Carson, Clyde Gile, Mary Frazer, June MacKay, James Patten, Dick Schuett, Dianne Wheeler, Deborah

Bradley, Paula Deloge, Helen Henle, Paul Karrick, David Martin, John Ratzki, Mario Seaworth, Brian

	ROC	KINGHAM	
Abramson, Max Cali-Pitts, Jacqueline Doucette, Fred Francese, Paula Sweeney, Joe McBeath, Rebecca Schroadter, Adam True, Chris	Berrien, Skip Cook, Allen Duarte, Joe Ward, Gerald Ward, Joanne Gordon, Pamela Sherman, Thomas Vose, Michael	Borden, David Cushing, Robert Edgar, Michael Guthrie, Joseph Lovejoy, Patricia Pantelakos, Laura Simpson, Alexis	Cahill, Michael DiFranco, Debbie Rice, Frederick Heffron, Frank Griffin, Mary Prudhomme-O'Brien, Katherine Spillane, James
	STI	RAFFORD	
Baber, William Bixby, Peter Graham, Robert Jones, Laura Smith, Marjorie Spang, Judith Wall, Janet	Beaudoin, Steven Burton, Wayne Groen, Warren Ward, Kenneth Schmidt, Peter Sprague, Dale Whitehouse, Joshua	Berube, Roger Cilley, Jacalyn Hannon, Joseph Kaczynski, Thomas Rollo, Deanna Treleaven, Susan	Bickford, David DiSesa, Len Horrigan, Timothy Knowles, Robert Southworth, Thomas Verschueren, James
	SI	JLLIVAN	
Schmidt, Andrew Gottling, Suzanne Oxenham, Lee	Cloutier, John Irwin, Virginia	Converse, Larry Laware, Thomas	Gagnon, Raymond O'Hearne, Andrew
	N.	AYS - 139	
	В	ELKNAP	
Dumais, Russell Hurt, George Fraser, Valerie	Fields, Dennis LeBreche, Shari Varney, Peter	Flanders, Donald Spanos, Peter	Howard, Raymond Sylvia, Michael
	C	ARROLL	
Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold	Crawford, Karel Schmidt, Stephen
	C	HESHIRE	
Bordenet, John Tatro, Bruce	Hunt, John	Robertson, Timothy	Sterling, Franklin
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	G	RAFTON	
Brown, Duane Ladd, Rick	Darrow, Stephen Piper, Wendy	Johnson, Eric	Ingbretson, Paul
	HILI	SBOROUGH	
Ammon, Keith Boehm, Ralph Coffey, James Fromuth, Bart Haefner, Robert Belanger, James Leishman, Peter Palmer, Barry Ober, Russell Souza, Kathleen	Griffin, Barbara Burt, John Edelblut, Frank Gagne, Larry Hansen, Peter Kurk, Neal Martel, Andre Pellegrino, Anthony Rowe, Robert Stepanek, Stephen	Barry, Richard Byron, Frank Ferreira, Elizabeth Gargasz, Carolyn Hinch, Richard Ober, Lynne McLean, Mark Peterson, Ken Sanborn, Laurie Straight, Phillip	Biggie, Barbara Christensen, Chris Flanagan, Jack Gould, Linda Infantine, William LeBrun, Donald Ohm, Bill Christie, Rick Seidel, Carl Ulery, Jordan

Sullivan, Victoria

O'Brien, William

MERRIMACK

McGuire, Carol	Long, Douglas	McGuire, Dan	French, Harold
Hess, David	Hoell, J.R.	Kidder, David	Kotowski, Frank
Kuch, Bill	Marple, Richard	Walsh, Thomas	, , , , , , , , , , , , , , , , , , , ,

ROCKINGHAM

Abrami, Patrick	Baldasaro, Alfred	Barnes, Arthur	Bates, David DeSimone, Debra Chase, Francis Gannon, William Hoelzel, Kathleen Kolodziej, Walter Matthews, Carolyn O'Connor, John	
Cardon, G. Thomas	Chirichiello, Brian	Thomas, Douglas		
Devine, James	Elliott, Robert	Emerick, J. Tracy		
Ferrante, Beverly	Fesh, Robert	Friel, William		
Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce		
Introne, Robert	Kappler, Lawrence	Katsakiores, Phyllis		
Lundgren, David	Major, Norman	Manning, John		
McMahon, Charles	Milz, David	Nigrello, Robert		
• .		Nigrello, Robert	O'Connor, John	
Gordon, Richard	Tilton, Rio	Peckham, Michele	Potucek, John	
Weyler, Kenneth		Sytek, John	Webb, James	

STRAFFORD

Cheney, Catherine Kaen, Naida Wuelper, Kurt	DeLemus, Susan Turcotte, Leonard	Gardner, Janice Leeman, Don	Gray, James Pitre, Joseph
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SULLIVAN

Grenier, James	Rollins, Skip	Smith, Steven
and floor amendmen	t (1920h) was adopted.	•

Majority committee report adopted and ordered to third reading.

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 231, 601, 1121, 1124, 1130, 1154, 1164, 1175, 1195, 1202, 1223, 1226, 1239, 1292, 1329, 1340, 1352, 1372, 1378, 1409, 1410, 1450, 1451, 1459, 1467, 1515, 1579, 1587, 1599 and 1655 and Senate Bills numbered 152, 309, 323, 344, 352, 353, 356, 357, 359, 362, 374, 377, 386, 388, 433, 456, 461, 465, 475, 484, 517, 519, 524 and 545.

Rep. Hinch, Sen. Soucy for the Committee

REGULAR CALENDAR CONT'D

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. INEXPEDIENT TO LEGISLATE.

Rep. Latha Mangipudi for Criminal Justice and Public Safety. This bill would have removed the term "suitable" from RSA 159:6 which relates to the application to carry deadly weapons concealed upon the person. The bill also would substitute a requirement that the applicant not be prohibited from possessing a firearm. This would mean that an applicant who drinks excessively would be able to carry a firearm concealed on his or her person. The issuing authority would no longer be able to disqualify the town drunk from obtaining a concealed carry license. Currently, if an applicant is denied, he or she has access to the circuit or superior court to prove that he or she is a suitable person to be licensed. This has worked well for almost 100 years. There are thousands of concealed carry licenses issued each year and very few denials. The NH Chiefs of Police testified in opposition to this bill. Vote 11-7. Reps. Hoell and Abramson spoke against.

Rep. Welch spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 156 NAYS 189

YEAS - 156 BELKNAP

Fields, Dennis Flanders, Donald CARROLL McConkey, Mark Crawford, Karel Butler, Edward Buco, Thomas Ticehurst, Susan Schmidt, Stephen CHESHIRE Tilton, Benjamin Berch, Paul Ames. Richard Abbott, Michael Eaton, Daniel Emerson, Susan Chase, Cynthia Bordenet, John Mann, John Parkhurst, Henry Ley, Douglas Roberts, Kris Sad, Tara Robertson, Timothy Pearson, William Phillips, Larry Weber, Lucy Tatro, Bruce Shepardson, Marjorie COOS Hatch, William Moynihan, Wayne Fothergill, John Froburg, Alethea Thomas, Yvonne Theberge, Robert Richardson, Herbert GRAFTON Cooney, Mary Bennett, Travis Almy, Susan Abel, Richard Higgins, Patricia Hennessey, Martha Maes, Kevin Ford, Susan Smith, Suzanne Sykes, George Piper, Wendy Nordgren, Sharon Townsend, Charles HILLSBOROUGH Booras, Efstathia Christensen, Chris Baroody, Benjamin Backus, Robert Donovan, Daniel Cornell, Patricia Cohen, Alan Roberts, Carol Gorman, Mary Gargasz, Carolyn Gidge, Kenneth Freitas, Mary Harvey, Suzanne Heath, Mary Hansberry, Daniel Guerette, C. Lee Leishman, Peter Mangipudi, Latha Herbert, Christopher Christiansen, Lars Brown, Pamela Long, Patrick Manley, Jonathan McNamara, Richard Walsh, Robert Rosenwald, Cindy Porter, Marjorie Palmer, Barry Soucy, Timothy Rowe, Robert Shattuck, Gilman Snow, Kendall Williams, Kermit Takesian, Charlene Vann, Ivy Smith, Timothy Woodbury, David **MERRIMACK** Carson, Clyde Bartlett, Christy Bradley, Paula French, Barbara Gile, Mary Doherty, David Ebel, Karen Deloge, Helen Karrick, David Hess, David Frazer, June Henle, Paul MacKay, James Kidder, David Luneau, David Kenison, Linda Rogers, Katherine Ratzki, Mario Myler, Mel Moffett, Howard Shurtleff, Stephen Wallner, Mary Jane Schuett, Dianne Saunderson, George Wheeler, Deborah ROCKINGHAM Cahill, Michael Borden, David Berrien, Skip Barnes, Arthur Edgar, Michael DiFranco, Debbie Cushing, Robert Cali-Pitts, Jacqueline Francese, Paula Ward, Gerald Heffron, Frank Elliott, Robert Matthews, Carolyn Major, Norman Lovejoy, Patricia Griffin, Mary Peckham, Michele Pantelakos, Laura Gordon, Pamela McBeath, Rebecca Welch, David Sherman, Thomas Simpson, Alexis STRAFFORD Bixby, Peter Burton, Wayne Baber, William Berube, Roger Kaen, Naida DiSesa, Len Horrigan, Timothy Cilley, Jacalyn Rollo, Deanna Southworth, Thomas Schmidt, Peter Smith, Marjorie

Treleaven, Susan

Sprague, Dale

Spang, Judith Wall, Janet

Verschueren, James

SULLIVAN

Schmidt, Andrew Cloutier, John Gagnon, Raymond Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

NAYS - 189 BELKNAP

Aldrich, Glen Dumais, Russell Tilton, Franklin Fisher, Robert
Gallagher, Brian Howard, Raymond Hurt, George LeBreche, Shari
Spanos, Peter Sylvia, Michael Fraser, Valerie Varney, Peter

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn Nelson, Bill Umberger, Karen

CHESHIRE

Hunt, John McConnell, James Sterling, Franklin

COOS

Rideout, Leon Tholl, John

GRAFTON

 Bailey, Brad
 Brown, Duane
 Darrow, Stephen
 Hennessey, Erin

 Johnson, Eric
 Gionet, Edmond
 Hull, Robert
 Ingbretson, Paul

 Ladd, Rick
 Massimilla, Linda

HILLSBOROUGH

Adams, Christopher Ammon, Keith Griffin, Barbara Balcom, John Barry, Richard Biggie, Barbara Boehm, Ralph Bouldin, Amanda Burt, John Byron, Frank Coffey, James Danielson, David DiSilvestro, Linda Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Smith, Gregory Gagne, Larry Gould, Linda Goulette, William Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Infantine, William Belanger, James Jack, Martin Rice, Kimberly Kurk, Neal Ober, Lynne Lachance, Joseph LeBrun, Donald Marston, Dick McLean, Mark Murotake, David Murphy, Keith Notter, Jeanine Ohm. Bill Parison, James Pellegrino, Anthony Peterson, Ken Pierce, David Proulx, Mark Christie. Rick Ober, Russell Rouillard, Claire Sanborn, Laurie Schleien, Eric Scontsas, Lisa Seidel, Carl Shaw, Barbara Simmons, Tammy Souza, Kathleen Stepanek, Stephen Straight, Phillip Twombly, Timothy Ulery, Jordan Sullivan, Victoria O'Brien, William Wolf, Terry Zaricki, Nick

MERRIMACK

Turcotte, Alan Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill Marple, Richard Martin, John Patten, Dick Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Christie, Andrew Abrami, Patrick Abramson, Max Azarian, Gary Baldasaro, Alfred Bates, David Cardon, G. Thomas Chirichiello, Brian Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne DeSimone, Debra Devine, James Doucette, Fred Duarte, Joe Emerick, J. Tracy Chase, Francis Rice, Frederick Ferrante, Beverly Fesh, Robert Friel, William Gannon, William Green, Dennis Guthrie, Joseph

Hagan, Joseph Introne, Robert Kappler, Lawrence McMahon, Charles Osborne, Jason Gordon, Richard Sytek, John Weyler, Kenneth	Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Milz, David Packard, Sherman Tilton, Rio True, Chris	Hodgdon, Bruce Sweeney, Joe Kolodziej, Walter Nigrello, Robert Potucek, John Schroadter, Adam Vose, Michael	Hoelzel, Kathleen Ward, Joanne Manning, John O'Connor, John Prudhomme-O'Brien, Katherine Spillane, James Webb, James
woyler, reminent	ST	RAFFORD	
Beaudoin, Steven Graham, Robert Jones, Laura Leeman, Don	Bickford, David Gray, James Kaczynski, Thomas Pitre, Joseph	Cheney, Catherine Groen, Warren Knowles, Robert Whitehouse, Joshua	DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt
	S	ULLIVAN	
Converse, Larry	Grenier, James	Laware, Thomas	Rollins, Skip

Smith, Steven

and the committee report failed.

Rep. Hoell moved Ought to Pass and offered floor amendment (1888h).

Floor Amendment (1888h)

Amend RSA 159:6, I as inserted by section 1 of the bill by inserting after subparagraph (b) the following new subparagraph:

(c) No officer or employee of the state of New Hampshire, or any subdivision thereof, shall be held liable for any criminal act committed as a result of such officer or employee issuing a license pursuant to this section.

AMENDED ANALYSIS

This bill amends the requirements for obtaining a concealed carry license by removing the requirement that the applicant be "suitable" and inserting a requirement that the applicant not be prohibited from possessing a firearm by state or federal statute. The bill also provides immunity for an officer or employee of the state who issues a concealed carry license as authorized by statute.

Reps. Hoell and Tholl spoke in favor.

Floor amendment (1888h) was adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.

Rep. Marston requested a roll call; sufficiently seconded.

Tholl, John

Theberge, Robert

YEAS 217 NAYS 132

YEAS - 217 BELKNAP

Aldrich, Glen Fisher, Robert LeBreche, Shari Varney, Peter	Dumais, Russell Gallagher, Brian Spanos, Peter	Tilton, Franklin Howard, Raymond Sylvia, Michael	Fields, Dennis Hurt, George Fraser, Valerie
vailley, i otoi	(CARROLL	
Avellani, Lino Crawford, Karel Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	(CHESHIRE	
Emerson, Susan Sterling, Franklin	Hunt, John	Roberts, Kris	McConnell, James
Sterning, 1 runnin		COOS	
Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Rideout, Leon

GRAFTON

Bailey, Brad Johnson, Eric Ladd, Rick Brown, Duane Gionet, Edmond Massimilla, Linda Darrow, Stephen Hull, Robert

Hennessey, Erin Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Baroody, Benjamin Bouldin, Amanda Coffey, James Eastman, Eric Ferreira, Elizabeth Gagne, Larry Goulette, William Hogan, Edith Jack, Martin Ober, Lynne Marston, Dick Notter, Jeanine Peterson, Ken Ober, Russell Scontsas, Lisa Souza, Kathleen

Ammon, Keith Barry, Richard Burt, John Danielson, David Edelblut, Frank Flanagan, Jack Gargasz, Carolyn Haefner, Robert Hopper, Gary Rice, Kimberly Lachance, Joseph McLean, Mark Ohm. Bill Pierce, David Rouillard, Claire Seidel, Carl Stepanek, Stephen Ulery, Jordan Zaricki, Nick

Griffin, Barbara Biggie, Barbara Byron, Frank DiSilvestro, Linda Edwards, Elizabeth Fromuth, Bart Gidge, Kenneth Hansen, Peter Infantine, William Kurk, Neal LeBrun, Donald Murotake, David Parison, James Proulx, Mark Sanborn, Laurie Shaw, Barbara Straight, Phillip Sullivan, Victoria

Balcom, John Boehm, Ralph Christensen, Chris Donovan, Daniel Estevez, Eric Smith, Gregory Gould, Linda Hinch, Richard Belanger, James Christiansen, Lars Mangipudi, Latha Murphy, Keith Pellegrino, Anthony Christie, Rick Schleien, Eric Simmons, Tammy Takesian, Charlene O'Brien, William

MERRIMACK

Turcotte, Alan McGuire, Dan Hoell, J.R. Marple, Richard Walsh, Thomas

Twombly, Timothy

Wolf, Terry

Brewster, Michael French, Harold Horn, Werner Martin, John Wheeler, Deborah McGuire, Carol Hess, David Kotowski, Frank Saunderson, George

Long, Douglas Hill, Gregory Kuch, Bill Seaworth, Brian

Azarian, Gary

Cardon, G. Thomas

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Ward, Joanne
Griffin, Mary
Milz, David
Packard, Sherman
Gordon, Richard
Sytek, John
Welch, David

Abrami, Patrick Barnes, Arthur Cook, Allen Devine, James Chase, Francis Friel, William Hagan, Joseph Introne, Robert Kappler, Lawrence Major, Norman Nigrello, Robert Peckham, Michele Tilton, Rio True, Chris Weyler, Kenneth Abramson, Max Bates, David Thomas, Douglas Doucette, Fred Rice, Frederick Gannon, William Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Manning, John O'Connor, John Potucek, John Schroadter, Adam Vose, Michael

Dean-Bailey, Yvonne
Duarte, Joe
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Sweeney, Joe
Kolodziej, Walter
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Webb, James

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Leeman, Don Wuelper, Kurt Bickford, David Gray, James Kaczynski, Thomas Pitre, Joseph Cheney, Catherine Groen, Warren Knowles, Robert Sprague, Dale

DeLemus, Susan Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua

SULLIVAN

Oxenham, Lee Grenier, James Laware, Thomas Converse, Larry Rollins, Skip Smith. Steven **NAYS - 132** BELKNAP Flanders, Donald CARROLL Ticehurst, Susan Butler, Edward Buco, Thomas CHESHIRE Berch, Paul Tilton, Benjamin Ames. Richard Abbott, Michael Lev. Douglas Chase, Cynthia Eaton, Daniel Bordenet, John Pearson, William Phillips, Larry Mann, John Parkhurst, Henry Shepardson, Marjorie Tatro, Bruce Sad. Tara Robertson, Timothy Weber, Lucy COOS Thomas, Yvonne Hatch, William Froburg, Alethea GRAFTON Cooney, Mary Bennett, Travis Abel. Richard Almy, Susan Hennessey, Martha Maes, Kevin Higgins, Patricia Ford, Susan Smith. Suzanne Sykes, George Piper, Wendy Nordgren, Sharon Townsend, Charles HILLSBOROUGH Roberts, Carol Cohen, Alan Booras, Efstathia Backus, Robert Freitas, Mary Golev, Jeffrey Cote, David Cornell, Patricia Hansberry, Daniel Harvey, Suzanne Gorman, Mary Guerette, C. Lee Manley, Jonathan Leishman, Peter Herbert, Christopher Heath, Marv Palmer, Barry McNamara, Richard Brown, Pamela Long, Patrick Rowe, Robert Walsh, Robert Rosenwald, Cindy Porter, Mariorie Smith, Timothy Soucy, Timothy Snow, Kendall Shattuck, Gilman Woodbury, David Williams, Kermit Vann, Ivv MERRIMACK Carson, Clyde Bradley, Paula Bartlett, Christy French, Barbara Ebel, Karen Gile, Mary Deloge, Helen Doherty, David Kenison, Linda Karrick, David Frazer, June Henle, Paul MacKay, James Moffett, Howard Kidder, David Luneau, David Rogers, Katherine Patten, Dick Ratzki, Mario Myler, Mel Shurtleff, Stephen Wallner, Mary Jane Schuett, Dianne ROCKINGHAM Cahill, Michael Cali-Pitts, Jacqueline Borden, David Berrien, Skip DiFranco, Debbie Edgar, Michael Elliott, Robert Cushing, Robert Lovejoy, Patricia Heffron, Frank Francese, Paula Ward, Gerald Pantelakos, Laura Gordon, Pamela McBeath, Rebecca Matthews, Carolyn Simpson, Alexis Sherman, Thomas STRAFFORD Berube, Roger Bixby, Peter Burton, Wayne Baber, William Ward, Kenneth Horrigan, Timothy Cilley, Jacalyn DiSesa, Len Schmidt, Peter Rollo, Deanna Smith, Marjorie Kaen, Naida

Treleaven, Susan

Spang, Judith

Southworth, Thomas Wall, Janet

Verschueren, James

SULLIVAN

Schmidt, Andrew

Cloutier, John

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

O'Hearne, Andrew

and the motion was adopted and ordered to third reading.

Rep. Goley voted Nay and intended to vote Yea.

SB 339-FN, relative to required DNA analysis for certain offenses. OUGHT TO PASS WITH AMENDMENT.

Rep. Len DiSesa for Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, any offense against a child, any other felony offense prohibited by NH law, or "...another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill as amended adds the language "...or any person declared not guilty by reason of insanity and civilly committed to the Department of Corrections." This language addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is a federally funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. The amendment also adds the following language: "This paragraph shall not apply to any person who has been involuntarily committed to the secure psychiatric unit under RSA 135-C [New Hampshire Mental Health Services System] or RSA 622:45 [Secure Psychiatric Unit]." Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, the bill would serve both as a deterrent and as a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 17-2.

Amendment (1605h)

Amend RSA 651-C:2, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon intake or prior to the release of any offender after conviction for the commission of any sexual offense, as defined in RSA 651-B:1, V, or any offense against a child as defined in RSA 651-B:1, VII, or any other felony offense prohibited by the laws of this or another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason, or any person found to be not guilty by reason of insanity under RSA 651:8-b for any of the offenses listed under this paragraph, or any person committed to the secure psychiatric unit by order of the court after being found not competent to stand trial pursuant to RSA 135:17-a for an offense listed under this paragraph, and subsequently committed under RSA 171-B:12 or RSA 135-C:34, such person shall have a DNA sample taken for DNA analysis to determine identification characteristics specific to the person.

AMENDED ANALYSIS

This bill requires DNA analysis for certain persons found not guilty by reason of insanity or committed to the secure psychiatric unit.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 498-FN, relative to penalties for possession of certain controlled drugs. OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Cushing for Criminal Justice and Public Safety. This bill signals an important agreement between the House and the Senate and amongst stakeholders in substance misuse policy discussions that New Hampshire needs to take a public health and harm reduction approach to the use of marijuana. Currently, a criminal penalty accompanying a conviction for first-time possession of a small amount of marijuana can lead to a lifetime of harsh consequences. These may include denial of student financial aid, housing, employment, and professional licenses. This bill as amended would make first-time possession of a small amount of marijuana, up to one-quarter ounce, a violation, subject to a fine of \$300, instead of a misdemeanor crime subject to arrest, jail time, and a criminal record. The amended bill only applies to first-time possession - second and subsequent offenses of possessing a small amount of marijuana could still be charged as a misdemeanor. Half the fines collected under the amended bill would be deposited into the fund to be used for drug and alcohol misuse prevention and education. The bill also provides that, in addition to paying a fine, a judge may order young people who are found to possess a small amount of marijuana to perform community service and may direct them to participate in alcohol and drug treatment programs. This bill does not endorse the use of marijuana, nor ignore the problems that can be associated with its use. Instead, it suggests that limited law enforcement and court resources should be applied more wisely and in accordance with public opinion. A UNH/WMUR poll released in July 2015 indicated that 72% of Granite Staters support decriminalizing marijuana. This bill as amended is a compromise that takes an incremental step toward reducing collateral damage done to people who use or experiment with marijuana. It seeks to stop making criminals out of citizens by placing our marijuana laws more in line with voter opinion and the New Hampshire Constitution and is a common sense approach that will enable us to redirect resources to combat the scourge of opioids that is ravaging our state. Vote 12-7.

Amendment (1587h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose.

I. New Hampshire's criminal justice system faces unprecedented challenges associated with the rising rate of opioid and opiate addiction.

II. Unlike opioids and opiates, which in 2015 reportedly caused 396 fatal overdose deaths in New Hampshire, marijuana has never been known to cause a fatal overdose. In fact, in August of 2015 the Journal of the American Medical Association reported that states that had made marijuana available for patients with severe pain saw a 24.8 percent drop in the rate of opioid deaths. Marijuana can thus be seen as a part of an effective strategy to combat opioid overdoses.

III. New Hampshire has maintained criminal penalties against marijuana possession for decades, and yet marijuana remains by far the most commonly used illicit substance in New Hampshire, with more than 11 percent of state residents reporting having used it in the past month, according to survey data from 2014 published by the Substance Abuse and Mental Health Services Administration. The same survey reported that only 3.69 percent of residents had used an illicit drug other than marijuana in the past month.

IV. The American Academy of Pediatrics endorsed decriminalization of marijuana in 2015, noting that reducing possession penalties to a violation has "not led to an increase in youth use rates" in states where it has been enacted.

V. Reducing the penalty for possessing 1/4 ounce or less of marijuana to a violation for first offenses and allowing offenders to pay fines by mail will result in less time and resources being spent on such cases, allowing police and courts to spend more time and resources dealing with serious crimes.

VI. A criminal penalty accompanying a conviction for possession of one-quarter ounce or less of marijuana can lead to a lifetime of harsh consequences. These may include denial of student financial aid, housing, employment, and professional licenses. Reducing this penalty to a violation for first offenses will significantly reduce the number of New Hampshire residents who receive criminal records for possessing one-quarter ounce or less of marijuana.

2 New Sections; Controlled Drug Act; Personal Possession of Marijuana. Amend RSA 318-B by inserting after section 2-b the following new sections:

318-B:2-c Personal Possession of Marijuana.

I. Except as provided in RSA 126-X, no person shall possess 1/4 ounce or less of marijuana, including adulterants or dilutants.

- II. Except as provided in RSA 126-X, no person shall possess one gram or less of hashish, including adulterants or dilutants.
- III.(a) Any person 18 years of age or older who violates the provisions of paragraph I or II shall be subject to a fine of \$300.
- (b) Any person 18 years of age or older who violates the provisions of paragraph I or II and has one prior conviction for violating paragraph I or II in the preceding 3 years shall be guilty of a misdemeanor. Notwithstanding any provision of law to the contrary, any complaint alleging a second offense under paragraph I or II occurring within 3 years of a prior offense may be reduced to a violation at any time prior to trial. In addition to any other penalty authorized by law, any person sentenced under this subparagraph shall be ordered to pay a fine in the amount of not more than \$500.
- (c) Any person 18 years of age or older who violates the provisions of paragraph I or II and has 2 or more prior convictions for violating paragraph I or II in the preceding 3 years shall be guilty of a misdemeanor. In addition to any other penalty authorized by law, any person sentenced under this subparagraph shall be ordered to pay a fine in the amount of not more than \$500.
- (d) Any person under 18 years of age possessing 1/4 ounce or less of marijuana, including adulterants and dilutants, or one gram or less of hashish, including adulterants or dilutants, may be subject to a petition under RSA 169-B or 169-D. In addition to any requirements imposed as a result of a petition under RSA 169-B or 169-D, the court may order the offender to participate in up to 35 hours of community service, which shall be completed within one year of the date of the offense. Further, the court may order the offender to complete an alcohol and substance abuse education program that has been approved by the department of health and human services, at the offender's expense, within one year of the date of the offense. The offender shall furnish the court with evidence of completion of both an approved alcohol and substance abuse education program and community service. An offender who fails to complete an alcohol and substance abuse education program or community service requirement as ordered may be subject to an additional fine of up to \$350. In all cases under this subparagraph, the offender's parent or legal guardian shall be notified of all proceedings.
- (e) Any person who is not yet 21 years of age on the date of the incident, who is convicted of a violation under paragraph I or II may, at the discretion of the court, be subject to the revocation or denial of a driver's license or privilege to drive for not more than 30 days on the first finding or conviction under this paragraph, and not more than one year for a subsequent finding or conviction. Nothing in this paragraph shall prevent the court from requiring any person subject to this provision to successfully complete a substance abuse education program in lieu of a loss or denial of driving license or privilege. The director, upon receipt of a notification from the court that the court has ordered the suspension of a person's license or driving privilege pursuant to this paragraph, shall issue a formal order of suspension and, in the case of denial of an application for a license, the period imposed shall begin on the date the person is eligible by age for the issuance of a license. Notwithstanding any other law regarding confidentiality, any court which convicts or makes a finding that an offense described in this paragraph has occurred involving a person who meets the age limits specified in this paragraph, and which orders the revocation or denial of a driver's license or privilege to drive, shall forward a notice of such conviction or finding to the director. The director shall maintain the confidentiality of notices received.
- (f) The director shall, when ordered by the court, revoke the driver's license or privilege to drive or deny an application for a license for not more than 30 days on the first finding or conviction under paragraph I or II, and not more than one year for a subsequent finding or conviction; provided, however, that the director shall not revoke or deny a license or privilege to drive under this paragraph without first giving the person an opportunity for a hearing to determine that the person is the individual who was convicted of the offense and against whom the court order applies. In the case of denial of an application for a license, the period imposed shall begin on the date the person is eligible by age for the issuance of a license. This section shall only apply to a person who is not yet 21 years of age.
- IV.(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph I or II. A person who commits a violation under paragraph I or II shall be released on a hand summons, provided the law enforcement officer does not have lawful grounds for arrest for a different offense. If a person has a previous conviction for a violation of paragraph I or II within the preceding 3 years, a law enforcement officer may issue a summons for the offense which informs the person that they must appear in court for arraignment on the date marked on the summons.

(b) Any person found with a violation level amount of marijuana or hashish who refuses to provide their correct full name and address shall be subject to arrest rather than issuance of a summons to ensure appearance at court.

(c) Except as specifically provided in this section, neither the state nor any of its political subdivisions shall impose any form of penalty on a person for possessing 1/4 ounce or less of

marijuana, or one gram or less of hashish, or paraphernalia for marijuana use.

(d) This paragraph shall not be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(e) This paragraph shall not be construed to prohibit a law enforcement officer from taking

a person into protective custody pursuant to RSA 172:15.

- V. One-half of the amount of all fines collected under this section shall be deposited in the alcohol abuse prevention and treatment fund established in RSA 176-A:1 to be used for alcohol and other drug abuse prevention, treatment, and recovery, including the development of a marijuana education program pursuant to RSA 12-J:3, III-b, and one-half of the amount of such fines shall be used to fund the continued operation of the judicial branch.
 - 318-B:2-d Plea by Mail.

I. Any person 18 years of age or older who is charged with a violation of RSA 318-B:2-c, I or II may enter a plea of guilty, nolo contendere, or not guilty, by mail in a circuit court, district division, unless such person has received a summons that indicates that he or she must appear in person for arraignment pursuant to the provisions of RSA 318-B:2-c, IV(a).

II. Any defendant not subject to a must appear summons based upon a prior conviction shall receive, in addition to a summons, a fine notice entitled "Notice of Fine" which shall contain the amount of the fine for a violation of RSA 318-B:2-c, I or II. A defendant who is issued a summons and notice of fine and who wishes to plead guilty or nolo contendere shall enter his or her plea on the summons and return it with payment of the fine within 30 days of the date of the summons. Payment by credit card may be accepted in lieu of cash payment.

III. If the defendant wishes to enter a plea of not guilty, he or she shall enter such plea on the summons and return it within 30 days of the date of the summons. The circuit court, district division

shall schedule a trial.

IV. Whenever a defendant does not enter a plea by mail within 30 days of the date of the summons, the defendant shall be defaulted and shall be subject to an additional \$100 fine.

- V. Whenever a defendant willfully fails to pay a fine in connection with a conviction for a violation of RSA 318-B:2-c, I or II, or payment of such fine is noncollectible, the defendant shall be defaulted and the court may impose an additional fine of \$100.
 - 3 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II to read as follows:
- II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter, shall be sentenced as follows, except as otherwise provided in this section:
- (a) In the case of a controlled drug or its analog, classified in schedules I, II, III or IV, other than those specifically covered in this section, the person shall be guilty of a class B felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$25,000 may be imposed. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person shall be guilty of a class A felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of up to \$50,000 may be imposed[;].
- (b) In the case of a controlled drug or its analog classified in schedule V, the person shall be sentenced to a maximum term of imprisonment of not more than 3 years, a fine of not more than \$15,000, or both. If a person commits any such violation after one or more prior offenses as defined in RSA 318-B:27, such person shall be guilty of a class B felony, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$25,000 may be imposed[?].
- (c) [In the case of more than 5 grams of hashish, the person shall be guilty of a misdemeanor, except that notwithstanding the provisions of RSA 651:2, IV(a), a fine of not more than \$5,000 may be imposed.
- (d)] In the case of *more than 1/4 ounce of* marijuana, including any adulterants or dilutants, or [5 grams or less] *more than one gram* of hashish, the person shall be guilty of a class A misdemeanor. 4 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

Aldrich, Glen LeBreche, Shari

Avellani, Lino Schmidt, Stephen

Abbott, Michael Bordenet, John Hunt, John McConnell, James Sad, Tara Weber, Lucy

Fothergill, John Thomas, Yvonne

Abel, Richard

Piper, Wendy

Darrow, Stephen

Gionet, Edmond

Hennessey, Martha

- (a) Except as provided in RSA 318-B:2-c, controls any premises or vehicle where he knows a controlled drug or its analog is illegally kept or deposited;
- 5 Other Alcohol or Drug Offenses; Possession of Drugs. Amend RSA 265-A:43 to read as follows: 265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c.
- 6 New Paragraph; Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Duties. Amend RSA 12-J:3 by inserting after paragraph III-a the following new paragraph:

III-b. Develop a marijuana education program.

7 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill reduces the penalty for possession of 1/4 ounce or less of marijuana or one gram or less of hashish to a violation. The bill also requires the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to develop a marijuana education program. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 289 NAYS 58 YEAS - 289

BELKNAP

Fields, Dennis	Fisher, Robert	Howard, Raymond
Sylvia, Michael	Fraser, Valerie	Varney, Peter
C	ARROLL	
Buco, Thomas	Butler, Edward	Comeau, Ed
Ticehurst, Susan	Umberger, Karen	•
CI	HESHIRE	
Ames, Richard	Tilton, Benjamin	Berch, Paul
Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Roberts, Kris	Ley, Douglas	Mann, John
Pearson, William	Phillips, Larry	Robertson, Timothy
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
	coos	
Froburg, Alethea	Moynihan, Wayne	Rideout, Leon
G	RAFTON	

Bennett, Travis

Massimilla, Linda

Sykes, George

Johnson, Eric

Hull, Robert

Cooney, Mary

Ingbretson, Paul

Nordgren, Sharon

Townsend, Charles

Ford, Susan

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Baroody, Benjamin	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Bouldin, Amanda	Burt, John	Byron, Frank
Christensen, Chris	Roberts, Carol	Coffey, James	Cohen, Alan

Almy, Susan

Maes, Kevin

Hennessey, Erin

Higgins, Patricia

Smith, Suzanne

Cornell, Patricia Eastman, Eric Ferreira, Elizabeth Smith, Gregory Gonzalez, Carlos Guerette, C. Lee Hopper, Gary Rice, Kimberly Lachance, Joseph McLean, Mark Ohm, Bill Proulx, Mark Rosenwald, Cindy Schleien, Eric Shaw, Barbara Smith, Timothy Sullivan, Victoria Wolf, Terry

Danielson, David Edelblut, Frank Flanagan, Jack Gagne, Larry Gorman, Mary Harvey, Suzanne Infantine, William Kurk, Neal Leishman, Peter McNamara, Richard Long, Patrick Christie, Rick Rouillard, Claire Scontsas, Lisa Simmons, Tammy Takesian, Charlene Vann, Ivv

DiSilvestro, Linda Edwards, Elizabeth Freitas, Mary Gidge, Kenneth Gould, Linda Heath, Mary Belanger, James Christiansen, Lars Mangipudi, Latha Murotake, David Parison, James Ober, Russell Rowe, Robert Seidel, Carl Soucy, Timothy Twombly, Timothy O'Brien, William Zaricki. Nick

Donovan, Daniel Estevez, Eric Fromuth, Bart Goley, Jeffrey Goulette, William Herbert, Christopher Jack, Martin Ober, Lynne Manley, Jonathan Murphy, Keith Porter, Marjorie Walsh, Robert Sanborn, Laurie Shattuck, Gilman Stepanek, Stephen Ulery, Jordan Williams, Kermit

MERRIMACK

Turcotte, Alan Brewster, Michael McGuire, Dan Gile, Mary Horn, Werner Kidder, David MacKay, James Myler, Mel Saunderson, George Walsh, Thomas

French, Barbara McGuire, Carol Deloge, Helen French, Harold Frazer, June Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wallner, Mary Jane

Woodbury, David

Bartlett, Christy Carson, Clyde Doherty, David Henle, Paul Karrick, David Kuch, Bill Martin, John Ratzki, Mario Seaworth, Brian Wheeler, Deborah

Bradley, Paula Long, Douglas Ebel, Karen Hoell, J.R. Kenison, Linda Luneau, David Moffett, Howard Rogers, Katherine Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Baldasaro, Alfred Borden, David Cook, Allen DiFranco, Debbie Elliott, Robert Fesh, Robert Guthrie, Joseph Sweeney, Joe Lovejoy, Patricia McMahon, Charles Osborne, Jason Potucek, John Sherman, Thomas True, Chris Abrami, Patrick
Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Emerick, J. Tracy
Francese, Paula
Hagan, Joseph
Ward, Joanne
Major, Norman
Milz, David
Gordon, Pamela
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Vose, Michael

Abramson, Max
Bates, David
Cardon, G. Thomas
Thomas, Douglas
Duarte, Joe
Chase, Francis
Ward, Gerald
Heffron, Frank
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Pantelakos, Laura
Tilton, Rio
Spillane, James
Webb, James

Azarian, Gary
Berrien, Skip
Chirichiello, Brian
Dean-Bailey, Yvonne
Edgar, Michael
Ferrante, Beverly
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Peckham, Michele
Schroadter, Adam
Sytek, John

STRAFFORD

Baber, William Bixby, Peter DeLemus, Susan Horrigan, Timothy Kaen, Naida Smith, Marjorie Spang, Judith Wall, Janet Beaudoin, Steven Burton, Wayne DiSesa, Len Jones, Laura Knowles, Robert Schmidt, Peter Sprague, Dale Whitehouse, Joshua Berube, Roger Cheney, Catherine Graham, Robert Ward, Kenneth Turcotte, Leonard Pitre, Joseph Treleaven, Susan Wuelper, Kurt

Bickford, David Cilley, Jacalyn Hannon, Joseph Kaczynski, Thomas Leeman, Don Southworth, Thomas Verschueren, James

SUL		11/	Λ.	
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Schmidt, AndrewCloutier, JohnConverse, LarryGagnon, RaymondGottling, SuzanneGrenier, JamesIrwin, VirginiaLaware, ThomasO'Hearne, AndrewOxenham, LeeRollins, SkipSmith, Steven

NAYS - 58 BELKNAP

Dumais, Russell Tilton, Franklin Flanders, Donald Gallagher, Brian

Hurt, George Spanos, Peter
CARROLL

Chandler, Gene Cordelli, Glenn Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold

CHESHIRE Parkhurst, Henry

COOS
Richardson, Herbert Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Ladd, Rick

HILLSBOROUGH

Barry, Richard Cote, David Gargasz, Carolyn Haefner, Robert Hansberry, Daniel Hinch, Richard Hansen, Peter Hogan, Edith LeBrun, Donald Marston, Dick Brown, Pamela Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Snow, Kendall

Souza, Kathleen Straight, Phillip

MERRIMACK

Hess, David Hill, Gregory

ROCKINGHAM

Cahill, Michael DeSimone, Debra Devine, James Rice, Frederick Friel, William Gannon, William Harris, Jeffrey Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Kolodziei, Walter Griffin, Mary Packard, Sherman Gordon, Richard Welch, David Manning, John

Weyler, Kenneth

STRAFFORD

Gray, James Groen, Warren Rollo, Deanna and the committee report was adopted and ordered to third reading.

SB 540-FN, relative to the possession, use, or sale of kratom by any person under 18 years of age. OUGHT TO PASS.

Rep. John Martin for Criminal Justice and Public Safety. Kratom is illegal to import into the United States. It is also illegal in Thailand, the country where it is primarily grown. Kratom has been described as similar to khat, a drug widely used in Africa to stimulate warlord gangs and child soldiers. There is documentary evidence submitted which suggests that this substance, when abused, can be addictive, and in several instances where it has been offered as an alternative to opioids, its use has led back to opioid abuse in a vicious cycle. There are currently no prohibitions in NH law against this substance. This is a start, albeit a small one. Vote 9-8.

Rep. Marston spoke against.

Rep. Martin spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **SB 540-FN**, relative to the possession, use, or sale of kratom by any person under 18 years of age, be laid on the table.

On a division vote, with 202 members having voted in the affirmative, and 143 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 483-FN, establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Mary Heath for the Majority of Education. This bill as amended establishes the position of a chartered school program officer in the department of education. In 2013, HB 1128 established a study committee which resulted in further legislation that established a commission to study the issues related to children attending public charter schools. In 2014, that commission was enacted by statute and meets regularly to discuss public school charter issues. That commission identified the need for and strongly recommended a charter school program officer within the department of education. The chartered public school officer will serve an important role in the design, development, authorization, evaluation and implementation of NH public charter schools. Furthermore, the position will assist in securing federal funds and other resources for public charter schools as well as creating a forum to share ideas among charter schools and programs that our traditional public schools may want to explore. This bill will require the commissioner of education to establish this position to take effect July 1, 2017. Vote 14-6.

Rep. Glenn Cordelli for the Minority of Education. This bill, as amended, would seek to create a new position in the Department of Education in the next budget. The minority believes that this position can be requested in the next budget by the department without this bill. For a number of years, this function has actually been grant funded. As we recently saw with the denial of an application for a Windham Charter School, they received the needed support from the department. The issue is with the Board of Education who denied the application. This bill does not address that larger issue.

Majority Amendment (1362h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the position of chartered public school program officer in the department of education.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The chartered public school program officer position under this act provides statewide administrative oversight, support, and guidance to enure the chartered public school education program, including the delivery of special education services, which complies with state and federal requirements.

2 New Paragraph; Department of Education; Duties of Commissioner; Chartered Public School Program Officer. Amend RSA 21-N:4 by inserting after paragraph XI the following new paragraph:

XII. No later than October 1, 2017, establish a chartered public school program officer position which shall be a classified position. The commissioner shall include a new classified chartered public school program officer classified position in its efficiency expenditure report pursuant to RSA 9:4 for the biennium ending June 30, 2019 and every biennium thereafter. The chartered public school program officer shall:

- (a) Answer inquiries regarding charter public schools.
- (b) Act as a liaison between chartered public schools and the department of education.
- (c) Ensure that a chartered public school is implementing its charter mission.
- (d) Provide training for interested parties on the governance of chartered public schools and the development of chartered public school policy.
 - (e) Assist the chartered public school in identifying and securing alternative funding sources.
- (f) Receive and evaluate progress reports from chartered public schools, identify best practices for instruction and management in chartered public schools, and develop a process to share such best practices with other public schools.
- (g) Act as the liaison between chartered public schools and the United States Department of Education.
 - (h) Act as the liaison between chartered public school advocacy groups and interested parties.
- (i) Act as the liaison between chartered public schools and other public schools in the chartered public school's geographic region.
- (j) Work closely with the resident school districts and chartered public schools to assure appropriate support for students with disabilities.
 - 3 Effective Date. This act shall take effect July 1, 2017.

AMENDED ANALYSIS

This bill requires the commissioner of the department of education to establish the position of chartered public school program officer.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, with 207 members having voted in the affirmative, and 134 in the negative, the majority committee report was adopted and ordered to third reading.

SB 4, relative to eligibility to vote and relative to availability of voter information. MAJORITY:

OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Adam Schroadter for the Majority of Election Law. This bill, establishing a 30-day domicile requirement for voting in New Hampshire, is similar to SB 179 from last year. It strikes a balance between ease-of-voting and the necessity of protecting the integrity of our elections. It is the result of many hearings and meetings with the public, the Secretary of State and Deputy Secretary of State, and groups concerned with the election process. Testimony included surprisingly high statistics of voters registering in New Hampshire with out-of-state drivers' licenses and verified cases of drive-by-voting from the Department of Justice. A July 2015 WMUR Granite State poll reported a

majority of Granite Staters support a 30-day residency requirement for voting in New Hampshire, as was included previously in SB 179 and also here in SB 4. The majority of the committee feels it is crucial that those who vote in the State of New Hampshire are, in fact, residents and domiciliaries of the state and not individuals seeking to take advantage of the voting system for personal gain. Elections are often decided by narrow margins and even a small degree of influence carries the potential to change the result of an election. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. Despite an earlier proposal for a 10-day prohibition against new citizens voting in NH, the committee majority now proposes passage of SB 4, which establishes a 30-day residency requirement. Clearly, the NH Constitution establishes that a citizen may vote in NH wherever he or she is "domiciled" on the day of the election. In a state such as ours, where the capacity for same-day voter registration has been well established, the minority believes it is unfair and constitutionally wrong to require a citizen to prove an extended period of instate residency in order to vote. Testimony from town clerks, the NH League of Women Voters, and other witnesses clearly established that this change to our law would definitely prevent eligible voters from voting. The likelihood of this offensive result is based on actual interactions between voters and these clerks and advocates in recent past elections. The bill authorizes clerks and registrars to consider a citizen's federal tax records, interactions with government agencies, and to examine NH licenses to determine domicility. At the time of the executive session, an amendment to the bill was presented to add a "Statement of Purpose" to the bill. It is to be attached to the new law to explain to others what this new law means. The statement actually has the audacity to include the claims that it expresses not only the intent of this legislature in passing this law, but also the intent of the members of the 1974 Constitutional Convention; the past intent of a "Supreme Court," but without identifying which case or even which supreme court it is referring to; and, finally, it states that the 1976 "domicile" amendment to the NH Constitution "no longer complies with current statutes," a claim which sort of puts the cart before the horse. This bill will deprive valid NH citizens of their fundamental right to vote.

Majority Amendment (1349h)

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Statement of Purpose. The New Hampshire constitution states: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the 1974 Constitutional Convention voted to make "domicile" a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in elections. It was deemed that a person may have multiple residences at one time, but only one domicile. The amendment to the constitution was passed during the 1976 general election; however, under the wording of our current statutes, it is difficult for the state to assert this constitutional interest in preserving the integrity, fairness, and efficiency of the election process. The Supreme Court has stated that this interest justifies the state's imposition of certain eligibility requirements for voters and has upheld the legislatures' duty to set qualifications for the equal

constitutional right to be elected. A 30-day domiciliary requirement for electors provides administrative clarification while preserving and promoting voter confidence in New Hampshire's unmatched tradition of ballot access and voter participation.

Rep. Moynihan spoke against.

Rep. Gray spoke in favor.

On a division vote, with 202 members having voted in the affirmative, and 140 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Gannon offered floor amendment (1876h).

Floor Amendment (1876h)

Amend the bill by replacing sections 1-3 with the following:

1 Voter; Domicile. Amend RSA 654:1, I to read as follows:

- I.(a) Every inhabitant [of the state], having [a single] established domicile [for voting purposes] in this state for no less than 10 consecutive days before any election where the inhabitant offers to vote, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.
- (b)(1) An inhabitant's domicile for voting purposes [is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.] shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.
- (2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.
- (3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.
- (4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.
- (5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.
- (c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.
- 2 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:
- I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, less than 10 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.

city/town of __

I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 10 consecutive days before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 10 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

3 Voter Registration Form. Amend RSA 654:7, IV to read as follows:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

IV.(a) $[\overline{A}]$ Standard registration application [form] forms shall be used throughout the state. The registration [form] forms shall be no larger than 8 1/2 inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, *transfers*, *or updates* other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

__ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address Date ____ VOTER REGISTRATION FORM (Please print or type) 1. Name ___ Last (suffix) First Full Middle Name 2. Domicile Address ___ Street Ward Number Town or City Zip Code 3. Mailing Address if different than in 2 Street Town or City Zip Code 4. Place and Date of Birth _____ Town or City State 5. Are you a citizen of the United States? Yes ______ No ____ If a naturalized citizen, give name of court where and date when naturalized Place last registered to vote _____ Ward Number Street 7. Name under which previously registered, if different from above 8. Party Affiliation (if any) _____ State ___ 9. Driver's License Number _____ If you do not have a valid driver's license, provide the last four digits of your social security number _____ My name is ______. I am today registering to vote in the

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.

____, New Hampshire.

I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and under swear, under the penalties for voting fraud stated city/town, and, if registering on ele other polling place this election.	set forth below, that I	am qualified to vote in the above-
Date In accordance with RSA 659:34, the performation when registering to vote or vote of imprisonment not to exceed one year at to vote or voting is subject to a civil pena (c) The secretary of state shall preenly for voter registrations, transfers, or velection, which shall be in substantially the NEW REGISTRATION I am not registration or a new town or ward in New Hampshin NAME CHANGE/ADDRESS UPDA changed my name/address	ing is a class A misde and a fine not to excee lty not to exceed \$5,00 scribe the form of the updates at the polling part the following form: gistered to vote in New in New Hampshire and	or purposefully providing false in- meanor with a maximum sentence d \$2,000. Fraudulently registering 00. voter registration form to be used place on the date of a state general w Hampshire d have moved my voting domicile
Date	EGISTRATION FO	DM
FOR USE AT THE POLLING PLA		
(Please print or type) 1. Name	(CC) Ti	T 11 2 2 1 1 2 2
Last 2. Domicile Address	(suffix) First	Full Middle Name
Street		Ward Number
Town or City		Zip Code
3. Mailing Address if different than in 2 _	Street	
Town or City 4. Place and Date of Birth		Zip Code
	Town or City	State
Date		
5. Are you a citizen of the United States? If a naturalized citizen, give name of cour		
6. Place last registered to vote		
7. Name under which previously registere	Street ed, if different from ab	Ward Number ove
8. Party Affiliation (if any)		

990	House Jo	DURNAL MAY 11, 2016
9. Driver's License	Number	State
If you do not have	ve a valid driver's lic	ense, provide the last four digits of your social security
number		The same and the same and the same account accounts
My name is		
city/town of		New Hampshire.
Lunderstand that	to vote in this [city/te	wm] ward/town, I must be at least 18 years of age, I must
he a United States of	itizen and I must be	domiciled in this [city/town] ward/town. Furthermore, I
understand that I n	nust have heen domi	ciled in New Hampshire for no less than 10 consecutive
	t election in which I	
		lomiciled in New Hampshire for at least 10 consecutive
		ted this form, I have not met the registration requirements
		or the first election that I am eligible to vote in.
I understand that	a nerson can claim o	nly one state and one city/town as his or her domicile at
		h upon temporary absence, a person has the intention of
returning By registe	ering or voting today	I am acknowledging that I am not domiciled or voting in
any other state or ar		I am acknowledging that I am not domiched of voting in
		domicile, I am subject to the laws of the state of New
		cluding laws requiring a driver to register a motor vehicle
		s license within 60 days of becoming a resident.
		micile, I realize that I am not qualified to vote in the state
or federal elections		miche, i realize that i am not qualified to vote in the state
		I am entitled to vote in this city/town, I am aware that a
		address my questions or concerns.
		lerstand the above qualifications for voting and do hereby
		d set forth below, that I am qualified to vote in the above-
		ection day, that I have not voted and will not vote at any
other polling place t		ection day, that I have not voted and will not vote at any
onici politing place i	ins election.	
Date		Signature of Applicant
	in place of proof of i	dentity, age, citizenship, or domicile, I hereby swear that
such information is	true and accurate to t	he best of my knowledge.
		roving (applicant shall circle yes or no and initial each item):
Identity	yes/no	to ving (appreciate strain energy yes of no und initial each item).
1 don't i	yearno	(initials)
Citizenship	yes/no	(mitials)
Citizenship	y C3/110	(initials)
Age	yes/no	(mitials)
1150	y 03/110	(initials)
Domicile	yes/no	(minus)
Dominic	y 03/110	(initials)

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Election Official

AMENDED ANALYSIS

This bill:

- I. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 10 days.
 - II. Modifies the voter registration form.

Applicant

III. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.

Rep. Gannon spoke in favor.

Rep. Burton spoke against.

Floor amendment (1876h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Moynihan spoke against.

Rep. William O'Brien spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 203 NAYS 144

YEAS - 203

Aldrich, Glen Fisher, Robert Hurt, George Fraser, Valerie Vamey, Peter CARROLL Avellani, Lino Crawford, Karel Schmidt, Stephen Umberger, Karen CHESHIRE Emerson, Susan Sterling, Franklin Bailey, Brad Johnson, Eric Ladd, Rick Hutl.SBOROUGH Adams, Christopher Barry, Richard Barry, Richard Byron, Frank Christensen, Chris Christensen, Chris Christensen, Chris Christensen, Chris Christensen, Chris Christopher Barry, Richard Byron, Panie Barry, Richard Byron, Frank Christensen, Chris Christopher Barry, Richard Byron, Panie Barric Eastman, Eric Eastman, Eric Edelblut, Frank Eastwan, Eric Edelblut, Frank Balcom, John Burt, John Byron, Frank Christensen, Chris Coffey, James Danielson, David Denovan, Danie Eastman, Eric Edelblut, Frank Belanger, James Belanger, James Belanger, James Belanger, James Birch, Gregory Gonzalez, Carlos Gould, Linda Goulette, William Belanger, James Rice, Kimberriy Kurk, Neal Christiansen, Lars Christiansen, Lars Christiansen, Lars Christiansen, Lars Christiansen, Lars Christiansen, Peter Hinch, Richard Hogan, Edith Notter, Jamen Pilerce, David Murphy, Keith Notter, Jamen Pilerce, David Froulx, Mark Christie, Rick Ober, Russell Rouillard, Claire Scontsas, Lisa Stelplen, Stelplen Stelplen, Stelplen Pilerce, David Froulx, Mark Christie, Rick Ober, Russell Rouillard, Claire Scontsas, Lisa Stelplen, Stelplen Straight, Phillip Twombly, Timothy Ulery, Jordan Sullivan, Victoria		В	ELKNAP	
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ROCKINGHAM

Christie, Andrew Abrami, Patrick Baldasaro, Alfred Barnes, Arthur Cook, Allen Thomas, Douglas Doucette, Fred Duarte, Joe Chase, Francis Rice, Frederick Friel, William Gannon, William Hagan, Joseph Harris, Jeffrey Introne, Robert Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis Major, Norman Manning, John Milz. David Nigrello, Robert Packard, Sherman Peckham, Michele Gordon, Richard Tilton, Rio Svtek, John True. Chris Welch, David Weyler, Kenneth

Abramson, Max Azarian, Gary Cardon, G. Thomas Chirichiello, Brian Dean-Bailey, Yvonne Devine, James Elliott, Robert Emerick, J. Tracy Ferrante, Beverly Fesh, Robert Green, Dennis Guthrie, Joseph Hodadon, Bruce Hoelzel, Kathleen Sweeney, Joe Ward, Joanne Kolodziej, Walter Griffin, Mary Matthews, Carolyn McMahon, Charles O'Connor, John Osborne, Jason Potucek, John Prudhomme-O'Brien, Katherine Schroadter, Adam Spillane, James Vose, Michael Webb, James

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Leeman, Don

Grenier, James

Berube, Roger Gray, James Kaczynski, Thomas Pitre, Joseph Cheney, Catherine Groen, Warren Knowles, Robert Whitehouse, Joshua

DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 144 CARROLL

SULLIVAN

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Bordenet, John Ley, Douglas Robertson, Timothy Weber, Lucy Ames, Richard Chase, Cynthia Mann, John Sad, Tara Tilton, Benjamin Eaton, Daniel Parkhurst, Henry Shepardson, Marjorie Berch, Paul Roberts, Kris Pearson, William Tatro, Bruce

COOS

Froburg, Alethea Thomas, Yvonne Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Ford, Susan Massimilla, Linda Sykes, George Almy, Susan Higgins, Patricia Nordgren, Sharon Townsend, Charles

Bennett, Travis Hennessey, Martha Piper, Wendy White, Andrew Cooney, Mary Maes, Kevin Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin Cohen, Alan Edwards, Elizabeth Guerette, C. Lee Herbert, Christopher Manley, Jonathan Porter, Marjorie Shaw, Barbara Takesian, Charlene Booras, Efstathia Cornell, Patricia Freitas, Mary Hansberry, Daniel Jack, Martin McNamara, Richard Walsh, Robert Snow, Kendall Vann, Ivy Bouldin, Amanda Cote, David Gidge, Kenneth Harvey, Suzanne Leishman, Peter Brown, Pamela Rosenwald, Cindy Soucy, Timothy Williams, Kermit Roberts, Carol DiSilvestro, Linda Gorman, Mary Heath, Mary Mangipudi, Latha Long, Patrick Shattuck, Gilman Smith, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan	French, Barbara	Bartlett, Christy	Bradley, Paula
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Frazer, June	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Francese, Paula	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis			

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Treleaven, Susan
Verschueren, James	Wall, Janet		

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
and the majority	committee report was adop	pted and ordered to third	reading.

SB 423, relating to the right of 17-year olds to register to vote. OUGHT TO PASS.

Rep. William Pearson for Election Law. This bill simply clarifies a current law. While there were some on the committee who felt our voting system is vulnerable to participation by those under 18 years of age, the Secretary of State assured us that our supervisors of the checklists are very well trained and, as of yet, there have been no incidents where a 17-year-old has been able to fraudulently vote. As the bill does not make any changes to current practice, the bipartisan majority of the Election Law Committee sees no cause for concern and recommend that this bill Ought to Pass. Vote 10-7. Rep. Bates spoke against.

Reps. Pearson and Hoelzel spoke in favor.

On a division vote, with 193 members having voted in the affirmative, and 142 in the negative, the committee report was adopted and ordered to third reading.

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Peter Schmidt for the Majority of Executive Departments and Administration. This bill, as adopted by the Senate, is a request of the Board of Barbering, Cosmetology and Esthetics. It is essentially a housekeeping bill modifying certain definitions relevant to the professions overseen by the board. It also makes certain simplifying and facilitating changes to current license renewal provisions, and restructures the list of persons exempt from licensure requirements. The committee amendment removes the requirement for licensing shampoo assistant apprentices and removes 'shampooing' from the definitions of 'barber' and 'cosmetologist.' Vote 8-7.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to update and expand the definitions for what is included in the field of cosmetology and other professions regulated under RSA 313-A. The bill as filed also would have licensed the "profession" of shampoo assistant apprentice. The minority of the committee agreed with the changes that were made in the committee amendment, but felt that there are still issues in the Barbering and Cosmetology Practice Act that have not been addressed. Although completely unenforced, current law technically prohibits a parent from cutting the hair of their child, or even of their elderly parent, without

a license. Furthermore, the penalties for cutting someone's hair or decorating their nails without the appropriate license is a Class A misdemeanor for a person and a felony for setting up a business to provide these services. The members felt that the penalties are excessive and that adopting two other simple changes would significantly enhance the bill. The minority felt that its amendment, which allows a person who is not engaged in the profession as a primary occupation to cut the hair of their friends and family members, is in keeping with current practice and that we should align our statutes to what we believe that people should be allowed to do.

Majority Amendment (1697h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Barbering, Cosmetology, and Esthetics; Definitions; Barbering. Amend RSA 313-A:1, II(c) to read as follows:
 - (c) [Shampooing,] Arranging, dressing, or styling the hair.
 - 2 Definition; Master Barber. Amend RSA 313-A:1, II-a(c) to read as follows:
 - (c) [Shampooing,] Arranging, dressing, or dyeing the hair or applying hair tonics;
 - 3 Definition; Cosmetology. Amend RSA 313-A:1, VI to read as follows:
- VI. "Cosmetology" means arranging, dressing, curling, waving, [cleansing,] cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [and], manicures, pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.
 - 4 Definition; Esthetics. Amend RSA 313-A:1, VIII(d) to read as follows:
- (d) Providing pedicure and manicure services, including therapeutic skin and nail care treatments for the [foot] feet and hands, beautifying the [foot] feet and hands, and massaging, cleansing, or stimulating the [foot] feet and hands by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the [toenails] nails, and polishing the [toenail] nails.
 - 5 Definitions; Manicuring or Pedicuring. Amend RSA 313-A:1, X to read as follows:
- X. "Manicuring" or "pedicuring" means cutting, trimming, polishing, applying artificial enhancements such as tips or acrylic to the natural nails, or coloring or cleansing the nails of any person.
- 6 Board of Barbering, Cosmetology and Esthetics; Owner Member. Amend RSA 313-A:2, I to read as follows:
- I. There shall be a board of barbering, cosmetology, and esthetics consisting of 7 members as follows: one licensed barber, one licensed cosmetologist, one licensed esthetician, one licensed manicurist, one owner of a licensed barbering, cosmetology, esthetics, or manicuring school who shall be a resident of New Hampshire or a designee of such owner who shall be a [ticensed cosmetologist] licensee and a resident of New Hampshire, one owner of a registered tanning facility and one public member; each to be appointed by the governor with the consent of the council to a term of 5 years. No board member shall be appointed to more than 2 consecutive terms. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. Time served in filling an unexpired term shall not affect an appointee's eligibility to serve 2 consecutive full terms. Only board members provided for in this paragraph shall have the authority to vote in board determinations.
 - 7 Temporary Permit; Expiration. Amend RSA 313-A:18, II to read as follows:
- II. A temporary permit shall authorize its holder to engage temporarily in the practice of the profession for which such permit was issued under the guidance of a licensed practitioner in a registered salon or barbershop. If, upon notice from the board, the applicant fails without just cause to take the examination, the permit shall terminate. If the applicant fails to pass the examination, the board in its discretion may grant a second temporary permit, under like conditions, which permit in all circumstances shall expire [upon the holding of the next successive examination] 60 days from its issuance, unless just cause for failure to take the examination shall be shown to the satisfaction of the board.
 - 8 Renewal of Expired License; Late Fee. Amend RSA 313-A:20 to read as follows:
- 313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor, apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under this chapter shall expire on the last day of the birth month of the licensee in the even year next succeeding its date of issuance.

Any personal license which has expired may be renewed [at any time during the year next following upon] within 6 months by payment of the renewal fee and a late fee established by the board [and an additional fee of \$5, and at any time during the next succeeding year period upon the payment of the renewal fee and an additional fee of \$10. If the holder of any license fails to renew the license within 2 years after its expiration, such license may be renewed within 5 years after expiration by paying a fee]. After 6 months and within 5 years, a personal license may be renewed by paying the renewal fee and a late fee established by the board. Any school or shop license which has expired may be renewed upon payment of the renewal fee plus a late fee established by the board.

9 Apprentice Licensure. Amend RSA 313-A:24 to read as follows:

313-A:24 Apprentice Registration and Licensure.

I. No person shall enter an apprenticeship or enroll in a school under this chapter unless such person has registered with the board as an apprentice and been issued an apprentice license. The board shall have sole authority to regulate apprentices and apprenticeship under this chapter. The board shall issue an apprentice license to any student receiving instruction within a licensed school or shop to learn barbering, cosmetology, esthetics, or manicuring.

II. A person applying for [registration] a license under this section shall be granted such [registration] license upon:

(a) Submitting proof sufficient to the board to show that such person is at least 16 years of age;

(b) [Submitting 3 passport-size photographs;

(e) Paying a fee established by the board; and

[(d)] (c) Being deemed by the board to be of good professional character.

III. No salon or barbershop shall at any one time have more than one apprentice per licensed professional, except as follows:

(a) Each licensed barber may have up to 2 apprentices for barbering.

(b) Each licensed master barber may have up to 2 apprentices for barbering, or one apprentice master barber and one apprentice barber.

IV. Upon completing the number of hours specified in the board's apprentice rules, an apprentice shall be eligible to apply to the board for licensure.

10 Barbering, Cosmetology, and Esthetics; Exemptions. Amend RSA 313-A:25 to read as follows:

313-A:25 Exemptions.

[; or

[1-] The provisions of this chapter relative to barbering, cosmetology, esthetics, and manicuring shall not be construed to apply to the following persons:

[(a)] I. Physicians and surgeons licensed under RSA 329 when engaged in the practice of their profession[3].

[(b)] *II*. Chiropractors licensed under RSA 316-A when engaged in the practice of their profession[-;].

[(c)] III. Commissioned medical or surgical officers of the United States army, navy, or marine hospital service[:].

[(d)] IV. Registered and practical nurses licensed under RSA 326-B when engaged in the practice of their profession[;].

[(e) Licensed cosmetologists or estheticians under this chapter;

(f) Persons engaged in the practice of barbering in public or private institutions where such practice is carried on solely for the benefit of such institution;

(g)] V. Morticians licensed under RSA 325 when engaged in the practice of their profession.

(h) Persons conducting programs for barbering demonstration sponsored by a recognized barber organization.

[H. The provisions of this chapter relative to cosmetology or esthetics shall not be construed to apply to the following persons:

(a) Licensed barbers engaged in their usual occupation.

(b)] VI. Persons engaged in behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for purposes of sale, without charge to the person who is the subject of such demonstration.

[(c)] VII. Persons engaged in the practice of barbering, cosmetology[or], esthetics, or manicuring in a charitable or benevolent institution, nursing home, long-term care facility, or assisted living facility where such practice is carried on solely for the benefit of the residents of such institution.

- [d)] VIII. Persons conducting programs relating to demonstrations of barbering, cosmetology [or], esthetics, or manicuring sponsored by a [recognized cosmetological or esthetical] professional organization.
- [(c) Licensed cosmetologists engaged in the practice of cosmetology upon an invalid, a person with a disability, or a person confined to the home because of age,]
- IX. Licensees engaged in the practice of their profession upon a person who is not able to leave his or her residence because the person has a disability, limited mobility, or by reason of the person's age in that person's place of residence.
 - [(f)] X. Persons licensed as massage therapists under RSA 328-B.
- [(g)] XI. Persons licensed as physical therapists or physical therapist assistants under RSA 328-A and 328-F.
- XII. Persons employed as shampoo assistants in a licensed shop who perform the functions of shampooing, rinsing, and removing rollers or perm rods, and rinsing treated or untreated hair.

 11 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill modifies definitions and makes various changes to license renewal, temporary licenses, apprentice licensure, and exemptions from licensure by the board of barbering, cosmetology, and esthetics.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered minority committee amendment (1866h).

Minority Amendment (1866h)

Amend the bill by replacing all after the enacting clause with the following:

- 1 Barbering, Cosmetology, and Esthetics; Definitions; Barbering. Amend RSA 313-A:1, II(c) to read as follows:
 - (c) [Shampooing,] Arranging, dressing, or styling the hair.
 - 2 Definition; Master Barber. Amend RSA 313-A:1, II-a(c) to read as follows:
 - (c) [Shampooing,] Arranging, dressing, or dyeing the hair or applying hair tonics:
 - 3 Definition; Cosmetology. Amend RSA 313-A:1, VI to read as follows:
- VI. "Cosmetology" means arranging, dressing, curling, waving, [-cleansing,] cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [and], manicures, pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.
 - 4 Definition; Esthetics. Amend RSA 313-A:1, VIII(d) to read as follows:
- (d) Providing pedicure and manicure services, including therapeutic skin and nail care treatments for the [foot] feet and hands, beautifying the [foot] feet and hands, and massaging, cleansing, or stimulating the [foot] feet and hands by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the [toenails] nails, and polishing the [toenail] nails.
 - 5 Definitions; Manicuring or Pedicuring. Amend RSA 313-A:1, X to read as follows:
- X. "Manicuring" or "pedicuring" means cutting, trimming, polishing, applying artificial enhancements such as tips or acrylic to the natural nails, or coloring or cleansing the nails of any person.
- 6 Board of Barbering, Cosmetology and Esthetics; Owner Member. Amend RSA 313-A:2, I to read as follows:
- I. There shall be a board of barbering, cosmetology, and esthetics consisting of 7 members as follows: one licensed barber, one licensed cosmetologist, one licensed esthetician, one licensed manicurist, one owner of a licensed barbering, cosmetology, esthetics, or manicuring school who shall be a resident of New Hampshire or a designee of such owner who shall be a [hicensed cosmetologist] licensee and a resident of New Hampshire, one owner of a registered tanning facility and one public member; each to be appointed by the governor with the consent of the council to a term of 5 years. No board member shall be appointed to more than 2 consecutive terms. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. Time served in filling an unexpired term shall not affect an appointee's eligibility to serve 2 consecutive full terms. Only board members provided for in this paragraph shall have the authority to vote in board determinations.

7 Temporary Permit; Expiration. Amend RSA 313-A:18, II to read as follows:

- II. A temporary permit shall authorize its holder to engage temporarily in the practice of the profession for which such permit was issued under the guidance of a licensed practitioner in a registered salon or barbershop. If, upon notice from the board, the applicant fails without just cause to take the examination, the permit shall terminate. If the applicant fails to pass the examination, the board in its discretion may grant a second temporary permit, under like conditions, which permit in all circumstances shall expire [upon the holding of the next successive examination] 60 days from its issuance, unless just cause for failure to take the examination shall be shown to the satisfaction of the board.
 - 8 Renewal of Expired License; Late Fee. Amend RSA 313-A:20 to read as follows:
- 313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor, apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under this chapter shall expire on the last day of the birth month of the licensee in the even year next succeeding its date of issuance. Any personal license which has expired may be renewed [at any time during the year next following upon] within 6 months by payment of the renewal fee and a late fee established by the board [and an additional fee of \$5, and at any time during the next succeeding year period upon the payment of the renewal fee and an additional fee of \$10. If the holder of any license fails to renew the license within 2 years after its expiration, such license may be renewed within 5 years after expiration by paying a fee]. After 6 months and within 5 years, a personal license may be renewed by paying the renewal fee and a late fee established by the board. Any school or shop license which has expired may be renewed upon payment of the renewal fee plus a late fee established by the board.
 - 9 Apprentice Licensure. Amend RSA 313-A:24 to read as follows:
 - 313-A:24 Apprentice Registration and Licensure.
- I. No person shall enter an apprenticeship or enroll in a school under this chapter unless such person has registered with the board as an apprentice and been issued an apprentice license. The board shall have sole authority to regulate apprentices and apprenticeship under this chapter. The board shall issue an apprentice license to any student receiving instruction within a licensed school or shop to learn barbering, cosmetology, esthetics, or manicuring.
- II. A person applying for [registration] a license under this section shall be granted such [registration] license upon:
 - (a) Submitting proof sufficient to the board to show that such person is at least 16 years of age;
 - (b) [Submitting 3 passport-size photographs;
 - (c) Paying a fee established by the board; and
 - [(d)] (c) Being deemed by the board to be of good professional character.
- III. No salon or barbershop shall at any one time have more than one apprentice per licensed professional, except as follows:
 - (a) Each licensed barber may have up to 2 apprentices for barbering.
- (b) Each licensed master barber may have up to 2 apprentices for barbering, or one apprentice master barber and one apprentice barber.
- IV. Upon completing the number of hours specified in the board's apprentice rules, an apprentice shall be eligible to apply to the board for licensure.
 - 10 Barbering, Cosmetology, and Esthetics; Exemptions. Amend RSA 313-A:25 to read as follows: 313-A:25 Exemptions.
- [I-] The provisions of this chapter relative to barbering, cosmetology, esthetics, and manicuring shall not be construed to apply to the following persons:
- [(a)] I. Physicians and surgeons licensed under RSA 329 when engaged in the practice of their profession[3].
- [(b)] *II*. Chiropractors licensed under RSA 316-A when engaged in the practice of their profession[-7].
- [(e)] III. Commissioned medical or surgical officers of the United States army, navy, or marine hospital service[;].
- [(d)] IV. Registered and practical nurses licensed under RSA 326-B when engaged in the practice of their profession[;].

- [(e) Licensed cosmetologists or estheticians under this chapter;
- (f) Persons engaged in the practice of barbering in public or private institutions where such practice is carried on solely for the benefit of such institution;
- $\frac{\text{(g)}}{\text{V}}$. Morticians licensed under RSA 325 when engaged in the practice of their profession. [; or
- (h) Persons conducting programs for barbering demonstration sponsored by a recognized barber organization.
- [H. The provisions of this chapter relative to cosmetology or esthetics shall not be construed to apply to the following persons:
 - (a) Licensed barbers engaged in their usual occupation.
- (b)] VI. Persons engaged in behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for purposes of sale, without charge to the person who is the subject of such demonstration.
- [(c)] VII. Persons engaged in the practice of barbering, cosmetology[-or], esthetics, or manicuring in a charitable or benevolent institution, nursing home, long-term care facility, or assisted living facility where such practice is carried on solely for the benefit of the residents of such institution.
- [d)] VIII. Persons conducting programs relating to demonstrations of barbering, cosmetology [or], esthetics, or manicuring sponsored by a [recognized cosmetological or esthetical] professional organization.
- [(c) Licensed cosmetologists engaged in the practice of cosmetology upon an invalid, a person with a disability, or a person confined to the home because of age,]
- IX. Licensees engaged in the practice of their profession upon a person who is not able to leave his or her residence because the person has a disability, limited mobility, or by reason of the person's age in that person's place of residence.
 - [(f)] X. Persons licensed as massage therapists under RSA 328-B.
- [(g)] XI. Persons licensed as physical therapists or physical therapist assistants under RSA 328-A and 328-F.
- XII. Persons employed as shampoo assistants in a licensed shop who perform the functions of shampooing, rinsing, and removing rollers or perm rods, and rinsing treated or untreated hair.
- XIII. A person providing services of barbering, cosmetology, esthetics, or manicuring to friends and family members when the person does not provide such services as his or her primary occupation.
 - 11 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill modifies definitions and makes various changes to license renewal, temporary licenses, apprentice licensure, and exemptions from licensure by the board of barbering, cosmetology, and esthetics.

Rep. Peter Schmidt spoke against.

Rep. Hoell spoke in favor and requested a roll call; not sufficiently seconded.

On a division vote, with 163 members having voted in the affirmative, and 166 in the negative, the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

MOTION TO SUSPEND HOUSE RULES

Rep. Hoell moved that House Rules be so far suspended as to allow consideration of floor amendment (1864h) that will require a second committee past the deadline.

Rep. Hoell spoke in favor.

Rep. Tholl spoke against.

On a division vote, with 111 members having voted in the affirmative, and 218 in the negative, the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Andrew Christie yielded to questions.

On a division vote, with 209 members having voted in the affirmative, and 131 in the negative, the majority committee report was adopted and ordered to third reading.

SB 396, relative to compatibility of electrical devices with the National Electric Code and the state building code. INEXPEDIENT TO LEGISLATE.

Rep. Steven Beaudoin for Executive Departments and Administration. Certain power tools, appliances, medical equipment, high efficiency refrigerators, and even some newer light bulbs will cause arc fault circuit interrupters (AFCI), a safety device in electrical systems, to falsely sense an arc within the circuit causing nuisance tripping and unnecessary interruption of power. This bill would prohibit the sale of equipment that is incompatible with AFCIs within the state of NH. The majority felt that the manufacturers of AFCIs should be designing their devices to be compatible with existing appliances, not the other way around. The majority of the committee felt that in the rare cases that this happens, most manufacturers, instead of entering into a costly redesign of their product, would simply pull their equipment from the relatively small NH market. Since the House has already passed HB 533 that addresses this issue in a different manner, this bill is unnecessary. Vote 10-5. Committee report adopted.

SB 421, relative to liability of governmental units. REFER FOR INTERIM STUDY.

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill makes a number of substantive as well as "housekeeping" changes to RSA 507-B as it relates to immunity provisions for governmental units at the municipal, county and state level. The majority of the committee expressed concerns over such provisions as adding language concerning programs for pooled risks into this statute when these are authorized and governed under RSA 5-B sufficiently. In addition, the majority felt that this bill was not ready for prime time at this point as it continues to make reference to work that should have been concluded in 1979. Lastly, those who testified on the bill noted that the content was the compromise between plaintiff and defense attorneys and acknowledged that there was more to be done on the matter of liability of governmental units. The majority of the ED&A Committee felt it prudent that further work be done to come to more universal consensus on this topic. Vote 9-5.

Committee report adopted.

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. OUGHT TO PASS.

Rep. Peter Schmidt for Executive Departments and Administration. This bill requires state agencies, including but not limited to, the Department of Environmental Services, the Department of Resources and Economic Development, the Department of Transportation, and the Fish and Game Department to conduct an audit of state laws, rules, and agency policies in the NH coastal regions, in order to be better prepared for flood risks arising from natural events. Some of these agencies are already engaged in this work as part of their ongoing mission. The bill further permits the planning of a well-coordinated response to such prospective events. Vote 9-6.

On a division vote, with 206 members having voted in the affirmative, and 115 in the negative, the committee report was adopted and ordered to third reading.

CACR 27, relating to the operating budget. Providing that the state shall not spend more from any fund than such fund receives in revenue, nor use the proceeds of any bond to fund its annual operating expenditures. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Neal Kurk for the Majority of Finance. As amended by the committee, this CACR provides that, in any budget period, the state shall not spend more on operating budget expenses than it receives in revenues, plus any surplus from the preceding budget period, or use the proceeds of any indebtedness to fund its operating expenses. The CACR further provides that the spending cap may be overridden by a two-thirds vote of both House and Senate, which may occur whenever the legislature wishes. While there are comparable provisions in current state statute, they relate largely to budgets and appropriations, not actual spending. Moreover, those statutory provisions may be changed at any time by majority vote or by subsequent contrary legislation, such as an out-of-balance budget. A constitutional provision is different. The majority of the committee believes that this constitutional amendment appropriately sets into our basic governing document the value of financial prudence shared by our state's citizens. Vote 15-11. Rep. Marjorie Smith for the Minority of Finance. The minority believes that while the concept reflected in CACR 27 is worthy of consideration, the language of the amendment is unworkable. The language specifies "spend," not "Plan to spend." When would the vote be held; would it

be monthly, or annually, or when the audit is completed, or when the Comprehensive Annual Financial Report is presented to the fiscal committee? Would it be the legislative or the executive branch that called for the vote? Would this amendment open the door for judicial involvement in the budget process? For these and related issues the minority believes that CACR 27 should be referred for Interim Study.

Majority Amendment (1870h)

Amend the title of the resolution by replacing it with the following:

RELATING TO: the operating budget.

PROVIDING THAT: the state shall not spend more on operating budget expenses than it receives

in revenues plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures.

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 6-b the following new article:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend more on operating expenses in any budget period than it receives in revenues, plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund, directly or indirectly, its operating expenditures.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the second part of the constitution by inserting after article 6-b a new article to read as follows:

[Art.] 6-c [Balanced Budget.] The state shall not, without an affirmative vote of two-thirds of the total number of representatives apportioned under part 2, article 9 and of the total number of senators allocated by part 2, article 25, either spend more on operating expenses in any budget period than it receives in revenues, plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund, directly or indirectly, its operating expenditures."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the state may not spend more on operating expenses than it receives in revenues plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund operating expenses.

Rep. Marjorie Smith spoke against and yielded to questions.

Rep. Kurk spoke in favor.

On a division vote, with 185 members having voted in the affirmative, and 125 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Marjorie Smith spoke against and yielded to questions.

Rep. William O'Brien spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 201 NAYS 139

YEAS - 201 BELKNAP

Aldrich, Glen Dumais, Russell Tilton, Franklin Fields, Dennis
Fisher, Robert Flanders, Donald Gallagher, Brian Howard, Raymond
Hurt, George LeBreche, Shari Spanos, Peter Sylvia, Michael
Fraser, Valerie Varney, Peter

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen

CHESHIRE

Tilton, Benjamin Emerson, Susan Hunt, John McConnell, James Sterling, Franklin

COOS

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ingbretson, Paul Ladd, Rick

HILLSBOROUGH

Adams, Christopher Ammon, Keith Barry, Richard Biggie, Barbara Burt, John Byron, Frank Danielson, David Donovan, Daniel Ferreira, Elizabeth Estevez, Eric Gagne, Larry Smith, Gregory Gould, Linda Goulette, William Hinch, Richard Hogan, Edith Belanger, James Rice, Kimberly Lachance, Joseph Ober, Lynne McLean, Mark Murotake, David Parison, James Ohm, Bill Proulx, Mark Christie, Rick Rowe, Robert Sanborn, Laurie Simmons, Tammy Seidel, Carl Takesian, Charlene Straight, Phillip Sullivan, Victoria O'Brien, William

Griffin, Barbara Boehm, Ralph Christensen, Chris Eastman, Eric Flanagan, Jack Gargasz, Carolyn Haefner, Robert Hopper, Gary Kurk, Neal LeBrun, Donald Murphy, Keith Pellegrino, Anthony Ober, Russell Schleien, Eric Souza, Kathleen Twombly, Timothy Wolf, Terry

Balcom, John Bouldin, Amanda Coffey, James Edelblut, Frank Fromuth, Bart Gonzalez, Carlos Hansen, Peter Infantine, William Christiansen, Lars Marston, Dick Notter, Jeanine Peterson, Ken Rouillard, Claire Scontsas, Lisa Stepanek, Stephen Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael McGuire, Carol French, Harold Hess, David Horn, Werner Kotowski, Frank Martin, John Seaworth, Brian Long, Douglas McGuire, Dan Hill, Gregory Hoell, J.R. Kuch, Bill Marple, Richard Walsh. Thomas

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Chirichiello, Brian
Devine, James
Chase, Francis
Gannon, William
Harris, Jeffrey
Itse, Daniel
Katsakiores, Phyllis
Matthews, Carolyn
O'Connor, John
Potucek, John
Schroadter, Adam
Vose, Michael

Abrami, Patrick
Barnes, Arthur
Cook, Allen
Duarte, Joe
Rice, Frederick
Green, Dennis
Hodgdon, Bruce
Sweeney, Joe
Kolodziej, Walter
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Webb, James

Abramson, Max
Bates, David
Thomas, Douglas
Elliott, Robert
Ferrante, Beverly
Guthrie, Joseph
Hoelzel, Kathleen
Ward, Joanne
Griffin, Mary
Milz, David
Packard, Sherman
Gordon, Richard
Sytek, John
Welch, David

Azarian, Gary
Cardon, G. Thomas
Dean-Bailey, Yvonne
Emerick, J. Tracy
Fesh, Robert
Hagan, Joseph
Introne, Robert
Kappler, Lawrence
Major, Norman
Nigrello, Robert
Peckham, Michele
Tilton, Rio
True, Chris
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Leeman, Don Bickford, David Gray, James Kaczynski, Thomas Pitre, Joseph Cheney, Catherine Groen, Warren Knowles, Robert Whitehouse, Joshua DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 139 CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Lev. Douglas Mann, John Parkhurst, Henry Pearson, William Phillips, Larry Robertson, Timothy Sad. Tara Shepardson, Marjorie Tatro, Bruce Weber, Lucy

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Higgins, Patricia Hennessey, Martha Maes, Kevin Massimilla, Linda Nordgren, Sharon Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles White, Andrew

HILLSBOROUGH

Baroody, Benjamin Booras, Efstathia Roberts, Carol Cohen, Alan Cornell, Patricia Cote. David DiSilvestro, Linda Freitas, Mary Gidge, Kenneth Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Jack, Martin Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Neil, William Brown, Pamela Long, Patrick Pierce, David Porter, Marjorie Walsh, Robert Rosenwald, Cindy Shaw, Barbara Snow, Kendall Soucy, Timothy Smith, Timothy Vann, Ivy Williams, Kermit Woodbury, David

MERRIMACK

Turcotte, Alan French, Barbara Bartlett, Christy Bradley, Paula Carson, Clyde Deloge, Helen Doherty, David Ebel, Karen Gile, Mary Henle, Paul Frazer, June Karrick, David Kenison, Linda Kidder, David Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Edgar, Michael Francese, Paula Ward, Gerald Heffron, Frank Lovejov. Patricia McBeath, Rebecca Gordon, Pamela Pantelakos, Laura Sherman, Thomas Simpson, Alexis

STRAFFORD

Baber, William Bixby, Peter Berube, Roger Burton, Wayne Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Ward, Kenneth Kaen, Naida Smith, Marjorie Schmidt, Peter Rollo, Deanna Spang, Judith Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

and the majority committee report failed lacking the necessary three-fifths vote.

MOTION TO LAY ON THE TABLE

Rep. Kurk moved that **CACR 27**, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. OUGHT TO PASS.

Rep. J. Tracy Emerick for Finance. This bill appropriates \$260,000 of unused capital funds for the purchase and installation of new and repair of existing monitoring equipment for the Piscataqua, Great Bay and Hampton estuaries. State water monitoring is advantageous to the state over data collected by the EPA, so such EPA data may be verified, or not. Vote 26-0. Committee report adopted and ordered to third reading.

SB 406-FN, relative to classification of certain state employee positions. OUGHT TO PASS WITH AMENDMENT.

Rep. J. Tracy Emerick for Finance. The bill as it passed the House changed the labor classifications of certain state employee positions. This committee amendment does two things: it funds the purchase of full-body scanners and modifies funds transfer authority for the Liquor Commission. Both were the subject of hearings on non-germane amendments. Full-body scanners are being purchased to deal with the increase in drugs and other contraband being smuggled into state prisons and county jails, with three slated for the Concord men's prison, two for the Berlin prison and one for the women's prison, at a cost of \$1.1 million. An additional \$740,000 is appropriated for 50% grants to counties to purchase body scanners for their correctional facilities. The language modification for the Liquor Commission allows operating funds transfers up to \$75,000 (the same as all state departments) on a non-cumulative basis. Presently, the transfers are managed on a cumulative basis. Vote 16-0.

Amendment (1801h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to classification of certain state employee positions and relative to the liquor commission.

Amend the bill by replacing all after section 2 with the following:

- 3 Liquor Commission; Transfer of Funds Within Operating Budget. Amend RSA 176:16, V to read as follows:
- V. The commissioner is authorized to transfer funds within and among all accounting units within the commission's operating budget and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the liquor commission. Any *individual* transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and governor and council, *and any determination of this prior approval requirement shall not be determined on a cumulative basis*. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.
- 4 Appropriation; Department of Corrections; Scanners for State Correctional Facilities. In addition to any other funds appropriated to the department of corrections, the sum of \$1,110,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department for the purchase and installation of 6 full body security scanners in the state correctional facilities. Three of the scanners shall be installed in the state prison for men in Concord, 2 scanners shall be installed in the northern New Hampshire correctional facility in Berlin, and one scanner shall be installed in the new state prison for women. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
- 5 New Section; State Prisons; Security Screening. Amend RSA 622 by inserting after section 6 the following new section:
- 622:6-a Security Screening Required. All individuals entering a state correctional facility, including but not limited to visitors, state officials, employees, contractors, and vendors, shall be subject to a security screening using a full body security scanner. The full body security scanners shall be

installed and operated in a manner that enables the detection of contraband but does not display or record an image of an individual's private body parts. With the exception of images that show contraband and are needed as evidence for prosecution, no image may be copied, duplicated, or retained for more than 24 hours.

6 Appropriation; Department of Justice; Scanners for County Correctional Facilities. In addition to any other funds appropriated to the department of justice, the sum of \$740,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department for the purpose of providing grants to the counties for up to 50 percent of the cost of one full body scanner for each county correctional facility in New Hampshire that does not have such a scanner as of the effective date of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date.

- I. Section 3 of this act shall take effect upon its passage.
- II. Sections 4, 5, and 6 of this act shall take effect July 1, 2016.
- III. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

- I. Adds the following positions to the unclassified salary schedule: administrator of the site evaluation committee, deputy commissioner of the liquor commission, deputy commissioner of the department of information technology, and executive director of the office of professional licensure and certification.
- II. Changes the salary classification of the chairman of the liquor commission, executive assistant to the adult parole board, chief information security officer, commandant of the state veterans home, the deputy director of the division of motor vehicles, and the executive director of the judicial council.
- III. Clarifies when prior approval by the fiscal committee and governor and council is required for the liquor commissioner to transfer funds within accounting units.

IV. Makes appropriations to the department of corrections to purchase 6 full body scanners for use in state correctional facilities and to the department of justice to administer grants to counties to offset a portion of the cost of full body scanners for county correctional facilities. Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. OUGHT TO PASS WITH AMENDMENT.

Rep. David Danielson for Finance. This bill establishes a drug court program or an alternative drug offender program and makes a \$2.23 million appropriation therefor. An alternative drug offender program means a program offered by a county as an alternative to operating a drug court for non-violent offenders, including diversion programs and programs utilizing intensive probation, random drug testing and evidence-based cognitive therapy. It specifies the use of "best practices" as based on researchbased, specific practitioner-focused drug court guidance published by the National Association of Drug Court Professionals. It also establishes the position of the drug offender program coordinator within the administrative office of the superior court. This bill uses the definition of drug courts as already established in state law. Under the guidance and approval of the Chief Justice of the Superior Court, the coordinator will develop draft policies and procedures for both types of programs, will measure recidivism rates and other outcome measures, will evaluate on-going compliance with relevant standards and will assist staff who are creating either drug courts or alternative drug offender programs and will assist counties with relevant training. A maximum amount of money has been established for counties based on size. The size refers to the actual number of cases heard in the superior court(s) in that county and not to population of the county. A minimum grant will be 50 percent up to \$245,000 per year for large counties, \$150,000 per year for medium counties, \$100,000 for small counties. Counties that have implemented felonies first will be eligible for a state-funded drug court up to the maximum of \$490,000 per year for large counties, \$300,000 per year for medium counties and \$200,000 for small counties. Counties which wish to have larger drug courts or drug alternative programs than provided by these grants may contribute to the costs. The application process for establishing either program is specified in the bill. Reporting on each of these programs will be done annually and such reports

will be made available on the legislative budget assistant's website annually. Should reporting not be completed, funding will cease until mandated reports are received. Funding for FY 17 is provided in the bill. This amendment also adds \$40 million of revenues in excess of budget estimates to the 'Rainy Day' fund at the end of FY 16. Vote 26-0.

Amendment (1853h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.

Amend the bill by replacing all after the enacting clause with the following:

1 Chapter Title; Drug Courts and Alternative Drug Offender Grant Program. Amend the chapter heading of RSA 490-G to read as follows:

CHAPTER 490-G

DRUG COURTS AND ALTERNATIVE DRUG OFFENDER GRANT PROGRAM

2 New Subdivision; Drug Offender Grant Program. Amend RSA 490-G by inserting after section 2 the following new subdivision:

Drug Offender Grant Program

490-G:3 Definitions. In this subdivision:

I. "Alternative drug offender program" means a program offered by a county as an alternative to operating a drug court for non-violent offenders including diversion programs and programs utilizing intensive probation, random drug testing, and evidence-based cognitive therapy.

II. "Best practices" means research-based, specific, practitioner-focused drug court guidance published by the National Association of Drug Court Professionals. For alternative drug offender programs, best practices include evidence-based programs which divert non-violent offenders out of the criminal justice system or utilize intensive probation supervision, sanctions, and behavior therapy to address behavior.

III. "Office" means the office of drug offender program coordinator within the administrative office of the superior court.

IV. "Drug court" means drug courts as described in RSA 490-G:1 and RSA 490-G:2.

490-G:4 Grant Program Created.

I. There is established a statewide drug offender grant program which shall provide state matching funds as appropriated to support drug courts or alternative drug offender programs in state superior court districts. The grant program shall be available to counties operating either a drug court or an alternative drug offender program prior to the effective date of this section, and to counties that have not yet implemented a drug court or an alternative drug offender program. A county shall be eligible for a drug court or an alternative drug offender grant, but not both. Beginning in fiscal year 2018, the statewide drug offender grant program shall continue as long as it is funded through appropriations in the state operating budget.

II. There is established the office of drug offender program coordinator within the administrative office of the superior court. The office shall be responsible for developing an application process by which counties may apply for a state grant and evaluating the operating drug courts and alternative drug offender programs. Subject to approval of the chief justice of the superior court, the office shall:

- (a) Determine approval requirements including the New Hampshire drug court and alternative drug offender program approval checklists. Prior to accepting applications for grants, the approval checklists shall be posted on the judicial branch website. The checklists shall be updated on the website as revisions are made.
- (b) Establish and periodically update best practices for operating drug courts and alternative drug offender programs.
- (c) Develop draft policies and procedures including a participant handbook, program outline, and implementation plan.
 - (d) Measure recidivism rates and other outcome measures.
 - (e) Evaluate compliance with relevant standards
- (f) Assist in creating drug courts or alternative drug offender programs in counties seeking to implement or continue either of them.
 - (g) Assist counties in obtaining ongoing training.

III. A county operating a drug court or alternative drug offender program which is not funded by the judicial branch pursuant to RSA 592-B:9, or which seeks to establish such a program, may be eligible for a state grant which shall pay 50 percent of the cost up to the amounts indicated in RSA 490-G:5, I from funds administered by the administrative office of the superior court. The remaining cost shall be funded by the county.

490-G:5 Eligibility for Grants.

I. For the purpose of grants, the superior court districts of each county shall be grouped into 3 categories: small, medium, and large, based on the number of court filings in each district and subject to annual review by the chief justice of the superior court. Coos, Carroll, and Sullivan counties shall initially be categorized as small. Grafton, Belknap, and Cheshire counties shall initially be categorized as medium. The districts of Hillsborough county superior court north and Hillsborough county superior court south, and Strafford, Merrimack, and Rockingham counties shall initially be categorized as large. Subject to available state appropriations, large counties and districts shall each be eligible for a grant of up to \$245,000 per year; medium counties shall each be eligible for a grant of up to \$150,000 per year; and small counties shall each be eligible for a grant of up to \$100,000 per year. Grants shall be awarded based on the date of program approval on a first-come, first-served basis, but shall not be retroactive. Counties may apply for grants during the year and grants may be prorated for a portion of the year for the number of months the grant will be in effect for that year. Grants shall not be prorated based on the amount of appropriation available. Any state drug offender grant program funds which are not expended by a county at the end of the county's fiscal year shall be returned to the judicial branch administrative office of the superior court for deposit in the state general fund.

II. To be eligible for a state grant, a county operating either a drug court or an alternative drug offender program which is not funded by the judicial branch pursuant to RSA 592-B:9 shall receive a recommendation for approval from the office. Grants shall be paid by the administrative office of the superior court following receipt of recommendation by the office and final approval of the chief justice of the superior court. The office shall determine how often approval shall be required and the office shall recommend subsequent grants when the currently operating drug court or alternative drug offender program establishes compliance with the New Hampshire drug court or alternative

drug offender program approval checklist as promulgated by the office.

III. A county without a drug offender program which seeks to implement either a drug court or an alternative drug offender program shall first apply for a federal grant for the purpose of establishing a program. A county shall be required to apply for a federal grant only once. Any county that applied for a federal grant before the effective date of this section shall not be required to apply again. In the event the county is awarded a federal grant, or any other grant from a nonprofit organization, designed to fund a drug court or alternative drug offender program, the county shall be eligible for a state grant only after the federal or other nonprofit grant has expired. If the county does not receive a federal or other nonprofit grant for which it applied, then it shall be eligible to apply for a state grant.

IV.(a) A county seeking to implement either a drug court or an alternative drug offender program may obtain a state grant for the purpose of establishing a program after satisfying the conditions in

paragraph III. To obtain a state grant, a county shall:

(1) Submit a budget for the total cost of the program to the office for review;

(2) Obtain from the office draft policies and procedures, including a participant handbook or program outline and implementation plan, which the county may amend and return to the office for consideration and approval;

(3) Obtain and complete drug offender program training as approved by the office; and

(4) Based on the information provided in subparagraphs (1)-(3), the office shall recommend programs for final approval of the chief justice of the superior court.

(b) If the county's proposed program and required documentation is approved, the county shall receive the grant amount of 50 percent of the approved budget up to the amounts indicated in

RSA 490-G:5, I for one year.

(c)(1) An alternative drug offender program may be established either separately or jointly with another county for high risk, and high or moderate need offenders. The grant amount available to counties applying jointly shall be the sum of the amounts each county would be eligible for separately. The alternative drug offender program developed shall be evidence-based, cost effective, and shall employ the use of an evidence-based risk/need assessment to determine

participant eligibility. For counties to be eligible for a state grant, they shall obtain approval from the office of the drug offender program coordinator. Alternative drug offender programs shall comply with the requirements of subparagraph (a).

(2) Before obtaining a state grant, a county shall apply for federal grants that may be applicable for the alternative drug offender program. If denied, the county may be eligible for the state grant pursuant to the conditions of this section. If the county obtains a federal grant, it becomes eligible for the state grant only after the federal grant has been exhausted. The county shall be required to apply for a federal grant only once.

(d) To receive funding for subsequent years, the county shall obtain approval from the office. The office shall determine how often approval shall be required. Subject to final approval

by the chief justice of the superior court, the office shall grant approval if the county:

(1) Establishes compliance with the New Hampshire alternative drug offender program approval checklist as promulgated by the office; and

- (2) Provides a complete accounting of program activities, expenditures, and outcome measures for the past year including, but not limited to, the number of participants, number of graduates, and the number of recidivists; and
 - (3) Establishes that the program is cost effective.

V. The judicial branch administrative office of the superior court is authorized to expend from appropriated sums the amounts necessary to fund the grants certified by the office.

490-G:6 Report. Beginning with a report due on or before January 1, 2018, the office of drug offender program coordinator shall prepare an annual report on the activities, expenditures, and outcome measures for the drug offender grant program, and the operation of drug courts or alternative drug offender programs. The report shall include the information provided by each county and shall be presented by state superior court district and on a statewide basis. The report shall be forwarded to the speaker of the house of representatives, the president of the senate, and the office of the legislative budget assistant to be posted on the website of the office of the legislative budget assistant. If the required report is not provided by January 30 in any year, the drug courts and alternative drug offender grant program shall be suspended until such report is provided.

3 New Section; Criminal Procedure in Superior Court. Amend RSA 592-B by inserting after section 8 the following new section:

592-B:9 Drug Courts or Alternative Drug Offender Programs.

- I.(a) In any county that has implemented or which will implement the felonies first project established in this chapter within one year of commencing operation of a drug court or alternative drug offender program, the judicial branch shall fund and operate an approved drug court or alternative drug offender program separate from the statewide drug offender grant program established in RSA 490-G, and at no cost to the county.
- (b) Before the judicial branch funds and operates a drug court or alternative drug offender program in any county under subparagraph (a), the county shall have first applied for a federal grant for the purpose of establishing a program. A county shall be required to apply for a federal grant only once. Any county that applied for a federal grant before the effective date of this section shall not be required to apply again. In the event the county is awarded a federal grant, or any other grant from a nonprofit organization, designed to fund a drug court or alternative drug offender program, the judicial branch shall fund and operate a drug court or alternative drug offender program only after the federal or other nonprofit grant has expired. If the county does not receive a federal or other nonprofit grant for which it applied, the drug court or alternative drug offender program shall commence operation.
- (c) The cost of the drug court or alternative drug offender program shall not exceed \$490,000 per judicial district in a large county, \$300,000 in a medium county, and \$200,000 in a small county, based on the number of court filings in each judicial district and subject to annual review by the chief justice of the superior court.
- II. A county in which the judicial branch is funding and operating an approved drug court or alternative drug offender program separate from the statewide drug offender grant program established in RSA 490-G:4 shall not be eligible to receive funds under the statewide grant offender program.
- 4 Appropriation; Judicial Branch; Drug Offender Grant Program and Operation of Drug Courts and Alternative Drug Offender Programs.

I. The sum of \$2,070,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the judicial branch, for the purpose of funding the drug offender grant program certified by the office of the drug offender program coordinator under RSA 490-G, and the operation of drug courts and alternative drug offender programs under RSA 592-B:9. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$160,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the judicial branch, for the purpose of hiring a state program coordinator and funding operating expenses under RSA 490-G for the drug offender grant program. The governor is authorized to

draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Transfer to Revenue Stabilization Reserve Account. Notwithstanding any provision of law to the contrary, to the extent combined unrestricted general and education trust fund revenues for the fiscal year ending June 30, 2016 as determined by the official audit performed pursuant to RSA 21-I:8, II(a) exceed the official estimates, an amount not to exceed \$40,000,000 of said excess shall immediately be transferred by the comptroller to the revenue stabilization fund established in RSA 9:13-e.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Establishes the statewide drug offender grant program administered by the office of drug offender program coordinator and makes appropriations therefor. Grants are paid by the administrative office of the superior court to counties meeting the requirements.

II. Appropriates funds to the judicial branch for the purpose of funding the drug offender grant program.

III. In counties which have implemented or will implement the felonies first project, provides funding for the operation of a drug court or alternative drug offender program.

IV. Provides for a transfer of excess revenues to the revenue stabilization reserve account. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Dan McGuire offered floor amendment (1906h).

Floor Amendment (1906h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the state retirement system to reduce the unfunded accrued liability.

Amend the bill by replacing section 5 with the following:

5 Transfer to Retirement System; Unfunded Liability. Notwithstanding any provision of law to the contrary, to the extent combined unrestricted general and education trust fund revenues for the fiscal year ending June 30, 2016 as determined by the official audit performed pursuant to RSA 21-I:8, II(a) exceed the official estimates, an amount not to exceed \$40,000,000 of said excess shall immediately be paid to the board of trustees of the New Hampshire retirement system and dedicated to reducing the retirement system's unfunded accrued liability, determined under RSA 100-A:16, II, proportionally for each member classification.

AMENDED ANALYSIS

This bill:

I. Establishes the statewide drug offender grant program administered by the office of drug offender program coordinator and makes appropriations therefor. Grants are paid by the administrative office of the superior court to counties meeting the requirements.

II. Appropriates funds to the judicial branch for the purpose of funding the drug offender grant program. III. In counties which have implemented or will implement the felonies first project, provides

funding for the operation of a drug court or alternative drug offender program.

IV. Provides for a transfer of excess revenues to the state retirement system to reduce the unfunded accrued liability.

Rep. Dan McGuire spoke in favor.

Rep. Lynne Ober spoke against.

The Speaker ruled floor amendment (1906h) non-germane and out of order.

Committee report adopted and ordered to third reading.

SB 466-FN, relative to the detention of youthful offenders at the youth development center. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Frank Byron for the Majority of Finance. This bill as amended provides, commencing July 1, 2016, for the detention of court adult-certified offenders under the age of 18 at the Sununu Youth Service Center (SYSC) until reaching the age of 18 in response to the Federal Prison Elimination Act when they will be transferred to the adult correctional facility. To deal with the inability of SYSC to meet its budgeted appropriations, the committee amended the bill to eliminate \$1 million of required reductions for FY 2016 but made no change in its required reductions for FY 2017. The amended bill also establishes a working group on juvenile justice services under the DHHS Commissioner composed of various appointed members to study alternative replacement services for children, development of a small, secure facility, a detailed accounting of the SYSC census and the development of a SYSC staffing plan for approximately 30 residents. Further required is the study and development of a plan to address the rise in judicial override orders for juveniles who are evaluated as not posing a risk to the public yet are instead sent to the SYSC for detention. Vote 25-1. Rep. Katherine Rogers for the Minority of Finance. The minority supports this bill as amended by the committee with an additional amendment. The additional amendment would add language tasking the "working group" with examining impacted workers should either closure of the Sununu Center or substantial staff reduction of the center result from the group's recommendations. Plans impacting workers would ensure state employees are supported in any transition with worker relocation benefits, retraining and job placement support. Our employees are as much a valued resource as the building and should be treated as such.

Majority Amendment (1824h)

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in

Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [\$1,721,861] \$700,000 for the fiscal year ending June 30, 2016, and by \$3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed \$10,100,000 for the fiscal year ending June 30, 2017. The department shall lapse an additional \$1,000,000 in state general fund appropriations for the fiscal year ending June 30, 2016, which shall be in addition to any previously required or estimated lapse for said fiscal year.

5 New Subdivision; Working Group on Juvenile Justice Services. Amend RSA 621-A by inserting after section 11 the following new subdivision:

Working Group on Juvenile Justice Services

621-A:12 Working Group on Juvenile Justice Services.

- I. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group on juvenile justice services consisting, at a minimum, of the following members:
 - (a) A representative of New Hampshire Kids Count, appointed by that organization.

(b) A representative of the Disability Rights Center, appointed by the center.

- (c) A justice of the circuit court, appointed by the chief administrative judge of the circuit court.
 - (d) A juvenile probation and parole officer, appointed by the commissioner.
 - (e) The chief of police of the city of Manchester, or designee.

(f) The attorney general, or designee.

- (g) Two members of the house of representatives, appointed by the speaker of the house of representatives.
 - (h) Two members of the senate, appointed by the senate president.
 - (i) A representative of community youth services providers, appointed by the commissioner.
 - (j) The chair of the juvenile parole board, or designee.
 - (k) The commissioner of corrections, or designee.

(1) An attorney with substantial experience representing children in juvenile delinquency proceedings, appointed by the executive director of the New Hampshire Public Defender.

(m) A representative of the New Hampshire State Employees Association, appointed by that

organization.

- II. The working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall, no later than October 1, 2016, submit to the governor, the speaker of the house of representatives, and the president of the senate, a plan that identifies in detail, the following:
- (a) An inventory of all the existing community based care for the rehabilitation of youth located in New Hampshire and the capacity for day and residential services of each facility for all levels of offenders.

(b) A proposed configuration of alternative placements and services for children based upon

the inventory of existing available community based care.

- (c) A timeline for implementation of alternative placements and services, as well as anticipated obstacles to implementation and recommendations for overcoming those obstacles, including increasing reimbursement rates for community based services.
- (d) A process and timeline for the development of a small secure facility for children who are violent and/or high risk and for children who are adjudicated as adults in the correctional system but should not be placed in the state prison system until they become 18 years of age.
- (e) An analysis of the costs involved in delivering community based care for detained and adjudicated youth in New Hampshire, and of those costs compared to the costs of operating the Sununu youth services center.

(f) A detailed accounting of the census of the Sununu youth services center for the past 10 years, including the age of offenders at the time of admission and the offense resulting in placement there.

(g) A staffing plan for the Sununu youth services center that provides for 30 detained and adjudicated youth, with flexibility through contract services and the addition of temporary or part-time employees to address population surges if and when they occur. Any additional staffing plans may address staffing levels for a population of less than 30 or more than 30 juveniles.

III. The department, in consultation with the working group, shall also evaluate and make recommendations to the governor, attorney general, speaker of the house of representatives, and president of the senate no later then November 1, 2016, for specific changes to existing state juvenile detention laws that would facilitate the community based treatment of detained and adjudicated youth offenders.

IV. The department, in consultation with the working group and outside consultants, shall examine and make recommendations to the governor, speaker of the house of representatives, and president of the senate no later than December 1, 2016, for alternative uses of the Sununu youth services center. Such analysis shall include the potential for repayment of funds provided by the federal government in establishing the Sununu youth services center. The commissioner may expend up to \$100,000 from funds appropriated to the department for the biennium ending June 30, 2017, for the purpose of hiring consultants.

6 Youth Development Services; Admission; Discharge from Youth Services Center Detention

Risk Assessment Instrument. Amend RSA 621-A:6 to read as follows:

621-A:6 Admission.

I. Children, subject to proceedings in juvenile court, may be admitted to the youth services center for temporary detention while awaiting disposition of the court pursuant to RSA 169-B:14, for educational services pursuant to RSA 186-C, RSA 169-B, RSA 169-C, or RSA 169-D, only upon prior approval of the commissioner.

II. Prior to a child's detention at the youth services center, the department shall complete a

detention risk assessment instrument to determine whether there is:

(a) Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition; or

(b) A need to hold the child in order to assure the child's appearance before the court, as

demonstrated by the child's previous failure to respond to the court.

III. The department shall review and submit a monthly report to the general court on those cases, also known as "overrides", in which children are confined at the Sununu youth services center contrary to the results of the detention risk assessment instrument. Beginning with the fourth such report, the department shall include recommendations for reducing the rate of overrides to 20 percent or less through executive and/or legislative action.

7 New Paragraph; Youth Development Center; Release and Discharge; Quarterly Review. Amend RSA 621:19 by inserting after paragraph III the following new paragraph:

- IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony that has as an element the actual or attempted infliction of injury upon another person within the last 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.
 - 8 Repeal. RSA 621-A:12, relative to the working group on juvenile justice services, is repealed.
 - 9 Effective Date.
 - I. Sections 1-3 of this act shall take effect July 1, 2016.
 - II. Section 4 of this act shall take effect June 30, 2016.
 - III. Section 5 of this act shall take effect upon its passage.
 - IV. Section 8 of this act shall take effect January 1, 2017.
 - V. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill

- I. Provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center.
- II. Permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.
- III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.
- IV. Establishes a working group within the department of health and human services to address juvenile justice service and treatment options.
- V. Requires the department of health and human services to use a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication.
- VI. Requires the department of health and human services to conduct a quarterly review of children placed at the Sununu youth services center to determine whether a less restrictive placement is possible. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Rogers offered minority committee amendment (1845h).

Minority Amendment (1845h)

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [\$1,721,861] \$700,000 for the fiscal year ending June 30, 2016, and by \$3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed \$10,100,000 for the fiscal year ending June 30, 2017. The department shall lapse an additional \$1,000,000 in state general fund appropriations for the fiscal year ending June 30, 2016, which shall be in addition to any previously required or estimated lapse for said fiscal year.

5 New Subdivision; Working Group on Juvenile Justice Services. Amend RSA 621-A by inserting after section 11 the following new subdivision:

Working Group on Juvenile Justice Services

621-A:12 Working Group on Juvenile Justice Services.

- I. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group on juvenile justice services consisting, at a minimum, of the following members:
 - (a) A representative of New Hampshire Kids Count, appointed by that organization.

(b) A representative of the Disability Rights Center, appointed by the center.

(c) A justice of the circuit court, appointed by the chief administrative judge of the circuit court.

(d) A juvenile probation and parole officer, appointed by the commissioner.

(e) The chief of police of the city of Manchester, or designee.

(f) The attorney general, or designee.

(g) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(h) Two members of the senate, appointed by the senate president.

(i) A representative of community youth services providers, appointed by the commissioner.

(i) The chair of the juvenile parole board, or designee.

(k) The commissioner of corrections, or designee.

(l) An attorney with substantial experience representing children in juvenile delinquency proceedings, appointed by the executive director of the New Hampshire Public Defender.

(m) A representative of the New Hampshire State Employees Association, appointed by that

organization.

II. The working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall, no later than October 1, 2016, submit to the governor, the speaker of the house of representatives, and the president of the senate, a plan that identifies in detail, the following:

(a) An inventory of all the existing community based care for the rehabilitation of youth located in New Hampshire and the capacity for day and residential services of each facility for all levels of offenders.

(b) A proposed configuration of alternative placements and services for children based upon the inventory of existing available community based care.

(c) A timeline for implementation of alternative placements and services, as well as anticipated obstacles to implementation and recommendations for overcoming those obstacles, including increasing reimbursement rates for community based services.

(d) A process and timeline for the development of a small secure facility for children who are violent and/or high risk and for children who are adjudicated as adults in the correctional system

but should not be placed in the state prison system until they become 18 years of age.

(e) An analysis of the costs involved in delivering community based care for detained and adjudicated youth in New Hampshire, and of those costs compared to the costs of operating the Sununu youth services center.

(f) A detailed accounting of the census of the Sununu youth services center for the past 10 years, including the age of offenders at the time of admission and the offense resulting in placement there.

(g) A staffing plan for the Sununu youth services center that provides for 30 detained and adjudicated youth, with flexibility through contract services and the addition of temporary or part-time employees to address population surges if and when they occur. Any additional staffing plans may address staffing levels for a population of less than 30 or more than 30 juveniles.

III. The department, in consultation with the working group, shall also evaluate and make recommendations to the governor, attorney general, speaker of the house of representatives, and president of the senate no later then November 1, 2016, for specific changes to existing state juvenile detention laws that would facilitate the community based treatment of detained and adjudicated

vouth offenders.

IV. The department, in consultation with the working group and outside consultants, shall examine and make recommendations to the governor, speaker of the house of representatives, and president of the senate no later than December 1, 2016, for alternative uses of the Sununu youth services center. Such analysis shall include the potential for repayment of funds provided by the federal government in establishing the Sununu youth services center and plans to ensure workers from the Sununu Center are supported as part of the transition by providing worker dislocation support to the impacted workers, including worker relocation benefits, retraining, and job placement support. The commissioner may expend up to \$100,000 from funds appropriated to the department for the biennium ending June 30, 2017, for the purpose of hiring consultants.

6 Youth Development Services; Admission; Discharge from Youth Services Center Detention Risk Assessment Instrument. Amend RSA 621-A:6 to read as follows:

621-A:6 Admission.

I. Children, subject to proceedings in juvenile court, may be admitted to the youth services center for temporary detention while awaiting disposition of the court pursuant to RSA 169-B:14, for educational services pursuant to RSA 186-C, RSA 169-B, RSA 169-C, or RSA 169-D, only upon prior approval of the commissioner.

II. Prior to a child's detention at the youth services center, the department shall complete a detention risk assessment instrument to determine whether there is:

(a) Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition; or

(b) A need to hold the child in order to assure the child's appearance before the court, as

demonstrated by the child's previous failure to respond to the court.

III. The department shall review and submit a monthly report to the general court on those cases, also known as "overrides", in which children are confined at the Sununu youth services center contrary to the results of the detention risk assessment instrument. Beginning with the fourth such report, the department shall include recommendations for reducing the rate of overrides to 20 percent or less through executive and/or legislative action.

7 New Paragraph; Youth Development Center; Release and Discharge; Quarterly Review. Amend

RSA 621:19 by inserting after paragraph III the following new paragraph:

- IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony that has as an element the actual or attempted infliction of injury upon another person within the last 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.
 - 8 Repeal. RSA 621-A:12, relative to the working group on juvenile justice services, is repealed.

9 Effective Date.

- I. Sections 1-3 of this act shall take effect July 1, 2016.
- II. Section 4 of this act shall take effect June 30, 2016.
- III. Section 5 of this act shall take effect upon its passage.
- IV. Section 8 of this act shall take effect January 1, 2017.
- V. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill

I. Provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center.

II. Permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.

IV. Establishes a working group within the department of health and human services to address juvenile justice service and treatment options.

V. Requires the department of health and human services to use a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication.

VI. Requires the department of health and human services to conduct a quarterly review of children placed at the Sununu youth services center to determine whether a less restrictive placement is possible.

Rep. Rogers spoke in favor.

Rep. Byron spoke against.

Rep. Kurk requested a roll call; sufficiently seconded.

YEAS 141 NAYS 200

YEAS - 141

BELKNAP

-1- -		D14
Har	naers	. Donald

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Bordenet, John Mann, John Shepardson, Marjorie

Ames, Richard Chase, Cynthia Parkhurst, Henry Tatro, Bruce Tilton, Benjamin Eaton, Daniel Pearson, William Weber, Lucy Berch, Paul Ley, Douglas Robertson, Timothy

COOS

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard Ford, Susan Massimilla, Linda Townsend, Charles Almy, Susan Higgins, Patricia Nordgren, Sharon White, Andrew Bennett, Travis Hennessey, Martha Smith, Suzanne

Cooney, Mary Maes, Kevin Sykes, George

HILLSBOROUGH

Baroody, Benjamin Cornell, Patricia Freitas, Mary Guerette, C. Lee Herbert, Christopher Mangipudi, Latha Long, Patrick Shattuck, Gilman Smith, Timothy Booras, Efstathia Cote, David Gidge, Kenneth Hansberry, Daniel Jack, Martin Manley, Jonathan Porter, Marjorie Shaw, Barbara Vann, Ivy Roberts, Carol DiSilvestro, Linda Goley, Jeffrey Harvey, Suzanne Leishman, Peter McNamara, Richard Walsh, Robert Snow, Kendall Williams, Kermit Cohen, Alan Edwards, Elizabeth Gorman, Mary Heath, Mary O'Brien, Michael Brown, Pamela Rosenwald, Cindy Soucy, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan Carson, Clyde Gile, Mary Karrick, David Moffett, Howard Rogers, Katherine Wallner, Mary Jane French, Barbara Deloge, Helen Henle, Paul Kenison, Linda Myler, Mel Saunderson, George Wheeler, Deborah Bartlett, Christy Doherty, David Hill, Gregory Luneau, David Patten, Dick Schuett, Dianne

Bradley, Paula Ebel, Karen Frazer, June MacKay, James Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Berrien, Skip Cushing, Robert Rice, Frederick Major, Norman Sherman, Thomas Borden, David DiFranco, Debbie Francese, Paula McBeath, Rebecca Simpson, Alexis Cahill, Michael Duarte, Joe Ward, Gerald Gordon, Pamela Cali-Pitts, Jacqueline Edgar, Michael Heffron, Frank Pantelakos, Laura

STRAFFORD

Baber, William Cilley, Jacalyn Kaen, Naida Spang, Judith Berube, Roger DiSesa, Len Smith, Marjorie Sprague, Dale Bixby, Peter Horrigan, Timothy Schmidt, Peter Treleaven, Susan

Burton, Wayne Ward, Kenneth Rollo, Deanna Wall, Janet

SULLIVAN Schmidt, Andrew Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew Oxenham, Lee NAYS - 200 BELKNAP Aldrich, Glen Dumais, Russell Tilton, Franklin Fields, Dennis Fisher, Robert Gallagher, Brian Howard, Raymond Hurt. George LeBreche, Shari Spanos, Peter Sylvia, Michael Fraser, Valerie Varney, Peter CARROLL Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn Crawford, Karel McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen **CHESHIRE** Emerson, Susan Hunt, John Roberts, Kris McConnell, James Phillips, Larry Sterling, Franklin COOS Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John Thomas, Yvonne GRAFTON Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ingbretson, Paul Ladd, Rick Piper, Wendy HILLSBOROUGH Adams, Christopher Ammon, Keith Griffin, Barbara Balcom, John Barry, Richard Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Coffey, James Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Smith, Gregory Gagne, Larry Gargasz, Carolyn Gonzalez, Carlos Gould, Linda Goulette, William Haefner, Robert Hansen, Peter Hinch, Richard Hogan, Edith Hopper, Gary Infantine, William Belanger, James Rice, Kimberly Kurk, Neal Christiansen, Lars Ober, Lynne Lachance, Joseph LeBrun, Donald McLean, Mark Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Parison, James Pellegrino, Anthony Peterson, Ken Pierce, David Proulx, Mark Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Sanborn, Laurie Schleien, Eric Scontsas, Lisa Seidel, Carl Simmons, Tammy Souza, Kathleen Stepanek, Stephen Straight, Phillip Takesian, Charlene Twombly, Timothy Ulery, Jordan Sullivan, Victoria O'Brien, William Wolf, Terry Zaricki, Nick MERRIMACK Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan French, Harold Hess. David Hoell, J.R. Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Marple, Richard Martin, John Seaworth, Brian Walsh, Thomas

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Chirichiello, Brian
Devine, James

Abrami, Patrick
Barnes, Arthur
Cook, Allen
Doucette, Fred

Abramson, Max Bates, David Thomas, Douglas Elliott, Robert Azarian, Gary Cardon, G. Thomas Dean-Bailey, Yvonne Emerick, J. Tracy Chase, Francis Green, Dennis Hodgdon, Bruce Sweeney, Joe Kolodziej, Walter Matthews, Carolyn O'Connor, John Potucek, John Spillane, James Webb, James

Ferrante, Beverly Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Lovejoy, Patricia McMahon, Charles Osborne, Jason Gordon, Richard Sytek, John Welch, David

Fesh, Robert Hagan, Joseph Introne, Robert Kappler, Lawrence Griffin, Mary Milz, David Packard, Sherman Tilton, Rio True, Chris Weyler, Kenneth Gannon, William Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Manning, John Nigrello, Robert Peckham, Michele Schroadter, Adam Vose, Michael

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Pitre, Joseph Cheney, Catherine Groen, Warren Knowles, Robert Whitehouse, Joshua DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt

Graham, Robert Jones, Laura Leeman, Don

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the minority committee amendment failed.

Majority committee report adopted and ordered to third reading.

SB 481-FN, relative to a special health care service license and establishing a fund. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Cindy Rosenwald for the Majority of Finance. This bill addresses three areas important to the

quality and accessibility of our health care system. First, it requires licensing for new programs of

three high risk medical services (open-heart surgery, cardiac catheterization, and megavoltage radiation) for which there are recognized clinical standards. Secondly, it requires new hospitals to compete on a level playing field by including emergency departments and accepting all sources of payment. Finally, if an organization wants to locate a new licensed health care entity within 15 miles of any of the state's 13 critical access hospitals, the Commissioner of Health and Human Services would have to certify that it would not materially adversely impact that critical access hospital. These hospitals, located in the North Country and western part of the state, operate with the federal designation of critical access because they are in geographically isolated and/or medically underserved areas and provide necessary inpatient and emergency care. The Finance Committee amendment eliminates the dedicated fund in favor of a small appropriation to staff the licensing operation. Vote 23-2. Rep. Dan McGuire for the Minority of Finance. This bill severely restricts medical competition in multiple ways. It identifies three services provided by existing large hospitals and subjects any new entrants to special licensing, regulation and open-ended fees. It requires that any new hospital operate a 24/7 emergency room and accept all patients regardless of ability to pay. Finally, it draws a 15-mile circle around the thirteen "critical access" (smaller) hospitals and prevents any new hospitals or many other medical business to form in those areas if they would have a "material adverse impact" on services provided by those small hospitals. Note that critical access hospital Alice Peck Day has managed to thrive in the shadow of Dartmouth Hitchcock since it was founded in 1932 and today has 500 employees and revenues over \$50 million a year. This is not a time to be restricting new medical facilities. There has not been a new hospital built in this state in over 30 years, during which our population has increased by almost 50%. The hospitals in New Hampshire are not financially shaky. Four of the ten largest employers in the state are hospitals. The largest has \$400 million in annual revenues, an \$800 thousand CEO and some doctors with salaries in excess of \$1 million. Even the smallest 16-bed hospital in the state has annual revenues of \$16 million a year, pays its CEO \$170 thousand, has doctors over \$350 thousand and provides less than 3% charity care. Our state government spends \$1 billion a year of our own money on HHS, and another \$1 billion in federal money. Competition is needed for consumers, including the state, to get the best prices and quality for our medical dollars. Our constitution wisely tells us in part 2 article 83 that free and fair competition is an essential right of the people and we should protect it from those who endeavor to raise prices by destroying it. We should heed that advice and find SB 481 Inexpedient to Legislate.

Majority Amendment (1860h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to a special health care service license and making an appropriation therefor.

Amend RSA 151:18 as inserted by section 4 of the bill by replacing it with the following:

4 Health Facility Licensure; Disposition of Fees. Amend RSA 151:18 to read as follows: 151:18 Disposition of Fees.

I. All fees received from licenses under the provisions of this chapter shall be kept by the state treasurer in a separate fund to be paid out to the department of health and human services for purposes of this chapter only.

II. Notwithstanding paragraph I, fees and any other funds collected for special health care service licenses pursuant to RSA 151:2-e shall be deposited in the general fund.

Amend the bill by replacing section 5 with the following:

5 Appropriation; Department of Health and Human Services. The sum of \$50,000 is hereby appropriated to the department of health and human services for the fiscal year ending June 30, 2017, for purposes of paying the costs of special health care service licenses. The governor is authorized to draw a warrant for said sum out of any moneys in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill establishes procedures to acquire a special health care service license under the law governing health facility licensure. This bill also establishes certain requirements regarding accessibility to health care services. The bill makes an appropriation for purposes of paying the costs of special health care service licenses.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Dan McGuire spoke against and yielded to questions.

Reps. Sanborn and Edelblut spoke against.

White, Andrew

Reps. Stephen Schmidt and Rosenwald spoke in favor.

Rep. Edelblut requested a roll call; sufficiently seconded.

YEAS 195 NAYS 134

YEAS - 195 BELKNAP

Tilton, Franklin Varney, Peter	Fields, Dennis	Flanders, Donald	Gallagher, Brian
-	C	CARROLL	
Buco, Thomas Nelson, Bill Umberger, Karen	Butler, Edward Parker, Harold	Crawford, Karel Schmidt, Stephen	McConkey, Mark Ticehurst, Susan
•	C	HESHIRE	
Abbott, Michael Bordenet, John Ley, Douglas Phillips, Larry Tatro, Bruce	Ames, Richard Eaton, Daniel Mann, John Robertson, Timothy Weber, Lucy	Tilton, Benjamin Emerson, Susan Parkhurst, Henry Shepardson, Marjorie	Berch, Paul Roberts, Kris Pearson, William Sterling, Franklin
		coos	
Fothergill, John Richardson, Herbert	Froburg, Alethea Tholl, John	Hatch, William Thomas, Yvonne	Moynihan, Wayne
	G	RAFTON	
Abel, Richard Hennessey, Erin Hennessey, Martha Piper, Wendy	Almy, Susan Ford, Susan Maes, Kevin Smith, Suzanne	Bailey, Brad Gionet, Edmond Massimilla, Linda Sykes, George	Cooney, Mary Higgins, Patricia Nordgren, Sharon Townsend, Charles

HILLSBOROUGH

Balcom, John
Coffey, James
Danielson, David
Gargasz, Carolyn
Guerette, C. Lee
Heath, Mary
Christiansen, Lars
Mangipudi, Latha
Long, Patrick
Rosenwald, Cindy
Snow, Kendall
Vann, Ivy

Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Gidge, Kenneth Haefner, Robert Hinch, Richard Lachance, Joseph Manley, Jonathan Pierce, David Rowe, Robert Soucy, Timothy Williams, Kermit Booras, Efstathia Cornell, Patricia Flanagan, Jack Goley, Jeffrey Hansberry, Daniel Infantine, William Leishman, Peter McNamara, Richard Porter, Marjorie Shattuck, Gilman Smith, Timothy Wolf, Terry

Roberts, Carol Cote, David Freitas, Mary Gonzalez, Carlos Harvey, Suzanne Jack, Martin O'Brien, Michael Brown, Pamela Walsh, Robert Shaw, Barbara Takesian, Charlene Woodbury, David

MERRIMACK

Turcotte, Alan Carson, Clyde Gile, Mary Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen French, Barbara
Deloge, Helen
Doherty, David
Henle, Paul
Frazer, June
Kidder, David
Moffett, Howard
Rogers, Katherine
Wallner, Mary Jane
Wallner, Mary Jane

Bradley, Paula Ebel, Karen Karrick, David Luneau, David Patten, Dick Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Cahill, Michael Devine, James Fesh, Robert Heffron, Frank Griffin, Mary Milz, David Tilton, Rio Welch, David Abrami, Patrick Cali-Pitts, Jacqueline DiFranco, Debbie Francese, Paula Hoelzel, Kathleen Major, Norman Nigrello, Robert Sherman, Thomas Berrien, Skip Cardon, G. Thomas Edgar, Michael Ward, Gerald Sweeney, Joe McBeath, Rebecca Gordon, Pamela Simpson, Alexis Borden, David Cushing, Robert Elliott, Robert Guthrie, Joseph Lovejoy, Patricia McMahon, Charles Pantelakos, Laura Webb, James

STRAFFORD

Baber, William Burton, Wayne Horrigan, Timothy Schmidt, Peter Treleaven, Susan Berube, Roger Cilley, Jacalyn Ward, Kenneth Rollo, Deanna Verschueren, James Bickford, David DiSesa, Len Kaen, Naida Spang, Judith Wall, Janet

Bixby, Peter Gray, James Smith, Marjorie Sprague, Dale

SULLIVAN

Schmidt, Andrew Gottling, Suzanne O'Hearne, Andrew Cloutier, John Grenier, James Rollins, Skip Converse, Larry Irwin, Virginia Smith, Steven Gagnon, Raymond Laware, Thomas

NAYS - 134 BELKNAP

Aldrich, Glen Hurt, George Dumais, Russell Spanos, Peter Fisher, Robert Fraser, Valerie Howard, Raymond

Avellani, Lino Chandler, Gene

Comeau, Ed

Cordelli, Glenn

CHESHIRE

CARROLL

Hunt, John McConnell, James

COOS

Rideout, Leon Theberge, Robert

GRAFTON

Brown, Duane Ingbretson, Paul

Darrow, Stephen Ladd, Rick Johnson, Eric

Hull, Robert

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Donovan, Daniel Ferreira, Elizabeth Gould, Linda Hogan, Edith LeBrun, Donald Notter, Jeanine

Peterson, Ken

Seidel, Carl

Rouillard, Claire

Straight, Phillip

Ammon, Keith Bouldin, Amanda Edelblut, Frank Fromuth, Bart Goulette, William Hopper, Gary McLean, Mark Ohm, Bill Proulx, Mark Sanborn, Laurie Simmons, Tammy Twombly, Timothy Griffin, Barbara Burt, John Edwards, Elizabeth Gagne, Larry Hansen, Peter Belanger, James Murotake, David Parison, James Christie, Rick

Biggie, Barbara
Byron, Frank
Estevez, Eric
Gorman, Mary
Herbert, Christopher
Rice, Kimberly
Murphy, Keith
Pellegrino, Anthony
Ober, Russell
Scontsas, Lisa
Stepanek, Stephen
Sullivan, Victoria

O'Brien, William Zaricki, Nick

MERRIMACK

Brewster, Michael Hill, Gregory Marple, Richard McGuire, Carol Hoell, J.R. Martin, John Long, Douglas Horn, Werner Seaworth, Brian

Schleien, Eric

Ulery, Jordan

Souza, Kathleen

McGuire, Dan Kuch, Bill

ROCKINGHAM

Abramson, Max Bates, David Dean-Bailey, Yvonne Chase, Francis Green, Dennis Introne, Robert Katsakiores, Phyllis O'Connor, John Potucek, John True, Chris

Azarian, Gary Chirichiello, Brian Doucette, Fred Rice, Frederick Hagan, Joseph Itse, Daniel Kolodziej, Walter Osborne, Jason Gordon, Richard Vose, Michael Baldasaro, Alfred Cook, Allen Duarte, Joe Ferrante, Beverly Harris, Jeffrey Ward, Joanne Manning, John Packard, Sherman Spillane, James Barnes, Arthur Thomas, Douglas Emerick, J. Tracy Gannon, William Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn Peckham, Michele Sytek, John

STRAFFORD

Beaudoin, Steven Groen, Warren Knowles, Robert Whitehouse, Joshua

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Wuelper, Kurt DeLemus, Susan Jones, Laura Leeman, Don Graham, Robert Kaczynski, Thomas Pitre, Joseph

and the majority committee report was adopted and ordered to third reading.

SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Karen Umberger for the Majority of Finance. Drug overdoses in New Hampshire have skyrocketed, and heroin-related hospital emergency department visits increased in the first nine months of 2015 by 70%. To help deal with this, the bill establishes a substance abuse enforcement program within the Department of Safety (DOS). The program will provide overtime for state, county and local police officers as well as overtime and supplies for the state forensic science laboratory to place additional police patrol and investigative presence in areas known to be used by drug dealers for shipments of illegal drugs into the state. The program will insure the drug enforcement efforts in the state are coordinated. The DOS and state police have developed

an outline for the grant applications which will eventually be developed into rules. The initial appropriation is for \$1,500,000 dollars for FY 17. It is projected that these dollars will add 8 additional officers each day who are focused on trying to stem the tide of drugs flowing into the state. A semi-annual reporting requirement will provide measurable results and a detailed accounting of program funding and use. The non-germane amendment, added after a public hearing provides additional needed tools for the administration of the retiree health care program as well as providing \$300,000 for a consultant to help create better financial forecasts, review the plan, and provide training to retirees on their health care plan. The retiree health care line was underfunded in the budget, and despite plan changes, there is need for Department of Administration staff to have additional tools in order to ensure that adequate projections, training and funding estimates can be developed for future bienniums. The amendment also establishes a procedure for the Fiscal Committee to gather public input via public hearings in case changes are needed to be made by this committee in the future. Finally, the amendment provides \$20,000 for overtime for the Department of Administration Risk Management staff in order to adequately service needs of retirees and answer questions about retiree health. Vote 25-1.

Rep. Dan McGuire for the Minority of Finance. This bill creates a new substance abuse law enforcement program and funds it with \$1.5 million in FY 2017. This is the same approach to drugs which has been tried for over 40 years and failed. The \$1.5 million is only the tip of the iceberg. More law enforcement will mean more costs for courts, prosecutors, defense and corrections. More money spent in this way will not solve the problem. The minority doesn't object to the non-germane

second half of the amended bill.

Majority Amendment (1857h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Amend the bill by replacing all after the enacting clause with the following:

1 Legislative Findings. The legislature finds:

I. From 2010 through October 21, 2015 drug overdoses in New Hampshire have claimed 1,322 lives, of which 315 were related to heroin and 377 to fentanyl. Heroin-related hospital emergency department visits in New Hampshire during the first 9 months of 2015 increased by 70.4 percent over the same period the previous year; and between July and September 2015, the anti-opioid drug Naloxone was administered by emergency responders to prevent an opioid death 866 times.

II. Drug-related deaths currently are eclipsing by far the number of deaths in highway fatalities. At the same time, however, there was a 21.43 percent increase in persons killed in highway crashes as of mid-October 2015 compared with the same period in 2014 and nearly 500 additional serious but not fatal injury crashes, with significant numbers involving drugged driving. Armed robberies and burglaries and other street crimes involving drugs have become a weekly occurrence and every county in the state has been affected.

III. Increased information sharing and more visible police presence on the streets and highways along with intensive enforcement of the traffic laws is strongly correlated to the deterrence of crime, cutting off the supply of drugs, apprehension of criminals, and a reduction in highway deaths.

IV. Sections 1-6 of this act are intended to make additional resources available to provide for more, better, and smarter law enforcement approaches to the current crisis.

2 New Subdivision; Substance Abuse Enforcement Program. Amend RSA 21-P by inserting after section 65 the following new subdivision:

Substance Abuse Enforcement Program

21-P:66 Substance Abuse Enforcement Program.

I. The commissioner of safety shall establish a substance abuse enforcement program which shall make grants available to county and local law enforcement agencies, and also provide funding for the division of state police for the following purposes:

(a) Overtime costs for officers performing law enforcement activities under this program.

(b) Overtime, supplies, and other costs of the state forensic science laboratory.

- II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to local and county law enforcement agencies. The protocols and conditions shall be based on the principles of intelligence-driven, problem-oriented policing, using statistics and information to place additional police patrol and investigative presence at the locations, times, and places where there have been a significant convergence of motor vehicle crashes, crimes, and drug use, or in corridors known to be used by drug dealers for shipments of illegal drugs into the state. The protocols and conditions shall:
 - (a) Require dedicated patrol units relieved of taking calls for service absent an emergency.
- (b) Insure that the officers assigned to such patrol units have been trained in the concept of data-driven policing and have an appropriate knowledge of the requirements of the state and federal constitutions.
- III. The commissioner shall give equal consideration to all local and county law enforcement agencies and the division of state police when allocating available program funding.
 - IV. The program shall include the following prohibitions on allowable uses of funds:
 - (a) No funds shall be granted for "purchase of evidence" or for "confidential funds."
- (b) No funds shall be used for the purchase of operational equipment, except for direct supply costs for state forensic science laboratory testing.
- (c) No funds shall be used for supplanting locally budgeted and approved funds for routine law enforcement.
- V. The program shall include semi-annual reporting, to the governor, senate president, and speaker of the house of representatives, which includes measurable program results and a detailed accounting of program funding and uses. The first report shall be submitted on or before December 15, 2016.
- 21-P:67 Rulemaking. The commissioner of safety shall adopt rules to implement this subdivision. Notwithstanding any other provisions of law, such rules shall be exempt from the provisions of RSA 541-A.
- 3 Substance Abuse Enforcement Program; Rulemaking; July 1, 2017. RSA 21-P:67 is repealed and reenacted to read as follows:
- 21-P:67 Rulemaking. The commissioner of safety shall adopt rules, pursuant to RSA 541-A, to implement this subdivision.
- 4 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by inserting after subparagraph (hh) the following new subparagraph:
 - (ii) RSA 21-P:68, relative to the substance abuse enforcement program.
- 5 Repeal. RSA 541-A:21, I(ii), relative to a rulemaking exception for the substance abuse enforcement program, is repealed.
 - 6 Appropriation; Department of Safety; Substance Abuse Enforcement Program.
- I. The sum of \$1,500,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.
- II.(a) For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to 2 separate accounting units as follows:
 - (1) An accounting unit for enforcement activities, including grants to local and county agencies.
 - (2) An accounting unit for division of forensic science laboratory activities.
- (b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.
- 7 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:
- II.(a) The state shall pay a partial premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.

(b) Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

8 Department of Administrative Services; State Employees Group Insurance; Retiree Medical

Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent]. Beginning January 1 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.

(b) The commissioner of administrative services is also authorized to invoice and collect

from such other participants contribution amounts as specified by law.

(c) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

9 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided pursuant to RSA 21-I:30, [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court [provided the percentage is not lower than 12.5 percent] under RSA 21-I:30, XIII.

(b) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

10 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

I. Retired judges and their applicable spouses [who are not Medicare eligible and] receiving medical and surgical benefits shall be responsible for payment of [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent] under RSA 21-1:30, XIII.

- II. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.
- 11 Appropriation; Department of Administrative Services; Risk Management; Overtime. In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

12 Health Care Consultant Contract; Benefit Plan; Appropriation.

- I. The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.
- II. The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

13 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

- VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.
- 14 Contingent Nullification. If SB 388 of the 2016 regular legislative session becomes law, the amendment to RSA 21-I:30, II, as inserted by section 1 of SB 388, shall not take effect.

15 Effective Date.

- I. Sections 3 and 5 of this act shall take effect July 1, 2017.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.
- II. Requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible, and provides for separate premium contribution rates for Medicare-eligible and non-Medicare eligible retirees to be determined beginning January 1, 2017.
- III. Makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan, and transfers certain judicial branch funds for health plan costs.
- IV. Nullifies an amendment made by SB 388, relative to public hearings on retiree health plan changes, if it becomes law.

Majority committee amendment adopted.

MOTION TO DIVIDE

Rep. Dan McGuire moved that sections 1 through 6 and sections 7 through 13 be divided on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. Dan McGuire spoke in favor.

Rep. Eaton spoke against.

On a division vote, with 89 members having voted in the affirmative, and 235 in the negative, the motion to divide failed.

MOTION TO DIVIDE

Rep. Goley moved that section 14 be divided on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. Goley spoke in favor.

Rep. Lynne Ober spoke against.

On a division vote, with 131 members having voted in the affirmative, and 187 in the negative, the motion to divide failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Dan McGuire and Abramson spoke against.

Rep. Umberger spoke in favor.

On a division vote, with 213 members having voted in the affirmative, and 95 in the negative, the majority committee report was adopted and ordered to third reading.

SB 495-FN-A, relative to state retiree health plan costs and funding. OUGHT TO PASS WITH AMENDMENT.

Rep. J. Tracy Emerick for Finance. This bill as amended provides additional funding that is needed to fully fund retiree health for the current biennium. When the budget was presented by the Governor, the retiree health line was underfunded by \$5.5 million. Then the federal government cut the stipend sent to us for payment of prescription drug coverage for those on Medicare by \$1 million. This stipend comes to the state because state employees do not use a Medicare Part D Plan for prescriptions. Between the time the budget was developed and the fall, prescription usage by retirees had grown so much that an additional \$4 million had been used. This left a \$10.6 million budget hole that the Department of Administrative Services (DAS) and the Fiscal Committee worked to close by amending the plan, changing co-pays and using surplus funds in the account. It also makes an appropriation to DAS for a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. Finally, it establishes a retiree health advisory council as a subcommittee of the Fiscal Committee, which shall convene public hearings as needed for the purpose of receiving testimony from retirees and other interested members of the public on any proposed retiree health benefits plan. Vote 26-0.

Amendment (1805h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Administrative Services; State Employees Group Insurance; Retiree Medical

Benefits. Amend RSA 21-I:30, II to read as follows:

II.(a) The state shall pay a partial premium for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption.

(b) Retired employees who are eligible for Medicare may voluntarily cease participation in

plan benefits at any time and may reenroll without restriction.

2 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits; Premium Contribution. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent]. Beginning January 1, 2017, the commissioner of administrative services shall determine, with prior approval by the fiscal committee of the general court, a premium contribution amount for Medicare-eligible retiree health benefit plans and a premium contribution amount for non-Medicare-eligible retiree health benefit plans.

(b) The commissioner of administrative services is also authorized to invoice and collect

from such other participants contribution amounts as specified by law.

(c) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

3 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse [who are not Medicare eligible and] receiving medical and surgical benefits provided pursuant to RSA 21-I:30, [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services with prior approval by the fiscal committee of the general court [provided the percentage is not lower than 12.5 percent] under RSA 21-I:30, XIII.

(b) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

4 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

I. Retired judges and their applicable spouses [who are not Medicare eligible and] receiving medical and surgical benefits shall be responsible for payment of [a] the premium contribution amount for either Medicare-eligible or non-Medicare-eligible retiree health benefit plans based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court[, provided the percentage is not lower than 12.5 percent] under RSA 21-1:30, XIII.

II. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

5 Appropriation; Department of Administrative Services; Risk Management; Overtime. In addition to any other sums appropriated, the sum of \$20,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of administrative service for the purpose of overtime charged to the risk management accounting unit, class 18. The governor is authorized to draw a warrant for

said sum out of any money in the treasury not otherwise appropriated.

6 Health Care Consultant Contract; Benefit Plan; Appropriation.

I. The commissioner of administrative services is hereby authorized to contract with a health care consultant for the purpose of a long-term design for funding state retiree health benefits and to provide training for state retirees on the benefit plan and its funding. The total amount expended by the department of administrative services for the health care consultant contract, benefit plan design, and training shall not exceed \$300,000.

II. The sum of up to \$300,000 for the biennium ending June 30, 2017 is hereby appropriated to the commissioner of the department of administrative services for the purpose of payment for the cost of the contract with the health care consultant under paragraph I. The source of funds for the appropriation shall be the employee and retiree benefit risk management fund under RSA 21-I:30-e.

7 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public.

8 Appropriation and Charge; Department of Administrative Services; Risk Management; Health Plan Costs. In addition to any other sums appropriated, the sum of \$360,000 is appropriated to the department of administrative services, risk management unit, for the biennium ending June 30, 2017 for state retiree health plan costs under RSA 21-I:30. Said appropriations shall be a charge against the following account: FY 2017

FY 2016 Class Name Class Accounting Unit (\$180,000) (\$180,000)Transfer to Other State Agencies 02-10-10-1000-1880 049

9 Contingent Nullification. If SB 388 of the regular 2016 legislative session becomes law, then the amendment to RSA 21-I:30, II as inserted by SB 388, shall not take effect.

10 Liquor Licenses and Fees; Definition of Cigar Bar. Amend RSA 178:20-a, II(d) to read as follows:

(d) Does not allow cigarette smoking or [service of] food to be sold on the premises.

11 Effective Date.

- I. Section 10 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Requires premium contribution amounts for retiree health benefits for retired state employees who are Medicare eligible, and provides for separate premium contribution rates for Medicare-eligible and non-Medicare eligible retirees to be determined beginning January 1, 2017.
- II. Makes an appropriation to the department of administrative services for a health care consultant to design a long-term retiree health care funding plan, and transfers certain judicial branch funds for health plan costs.

III. Nullifies an amendment made by SB 388, relative to public hearings on retiree health plan changes, if it becomes law.

IV. Prohibits the sale of food in a cigar bar licensed by the liquor commission.

Rep. Spillane spoke against and yielded to questions.

Reps. Hunt and Danielson spoke in favor.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 515-FN, relative to child neglect and other changes to the child protection act. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Betsy McKinney for the Majority of Finance. As previously passed by the House this bill restores drug testing that was eliminated in 2011 in cases of child neglect. The cost of \$90,000 will be funded out of the department's current budget and require no additional appropriation. The committee amended Sections 3 and 4 of the bill to be effective July 1, 2016. Vote 24-2.

Rep. Dan McGuire for the Minority of Finance. This bill states that evidence of drug abuse by a parent is enough to presume that a child's health is very likely to suffer. This is a key part of showing neglect, which can lead a court to remove children from their home. This will lead to more expenses for courts, attorneys and foster care than existing law, which more properly requires evidence of actual neglect or abuse.

Majority Amendment (1631h)

Amend the bill by replacing section 6 with the following:

6 Effective Date.

I. Sections 3 and 4 of this act shall take effect July 1, 2016.

II. Section 5 of this act shall take effect July 1, 2020.

III. The remainder of this act shall take effect upon its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Dan McGuire spoke against.

Rep. Wallner spoke in favor.

Majority committee report adopted and ordered to third reading.

SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. OUGHT TO PASS WITH AMENDMENT.

Rep. Dan McGuire for Finance. This bill appropriates the sum of \$130,000 for technology upgrades to the Controlled Drug Prescription Health and Safety system (AKA the Prescription Drug Monitoring Program [PDMP]), which tracks prescriptions for controlled substances. Currently this system is updated weekly for controlled substances and physicians requested a daily update. After the upgrade it will be updated daily, which will assist prescribing physicians. Also included in the upgrades are additional reporting functionality, a stress test to ensure all users of the PDMP have adequate response time, the ability to batch queries from a list of stored patients. This bill was strongly supported by the Drug Task Force during its deliberations. The committee's amendment also includes the House-passed version of HB 636 dealing with asset forfeiture. Vote 25-1.

Amendment (1856h)

Amend the title of the bill by replacing it with the following:

AN ACT making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:

617:1-a Criminal Forfeiture; Property Subject to Forfeiture.

I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:

(a) Property the person derived from the commission of the crime;

(b) Property directly traceable to property derived from the commission of the crime; and

(c) Instrumentalities the person used in the commission of the crime.

II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.

III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.

IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.

V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by

the court.

3 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the

following new section:

617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This provision shall not apply to property seized as evidence in a pending criminal investigation or prosecution.

4 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:

617:11 Disposition of Property and Proceeds.

I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.

II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the

forfeited property at public auction.

III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable non-personnel expenses of the seizure, storage, and

maintenance of custody of any forfeited items.

IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the state's general fund.

5 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to

read as follows:

(e) The department of justice shall, within 60 days of the seizure, [either] file a petition in the superior court having jurisdiction under this section [or seek administrative forfeiture pursuant to RSA 318-B:17-d]. If no such petition is filed [or administrative procedure initiated] within 60 days, the items or property interest seized shall be released or returned to the owners.

6 Forfeiture of Items Used in Connection with Drug Offense; Reference to Drug Forfeiture Fund

Removed. Amend RSA 318-B:17-b, II-a(e) to read as follows:

(e) In the case of moneys, file a motion for transfer of evidence under RSA 595-A:6. Upon the court's granting of the motion the moneys shall be immediately forwarded to an interest-bearing seized asset escrow account to be administered by the attorney general. Upon resolution of the forfeiture proceeding the moneys deposited shall be transferred to the [drug forfeiture] general fund or returned to the owners thereof as directed by the court. Unless otherwise ordered by a court in a specific case, interest on all moneys deposited in the seized asset escrow account shall be deposited annually into the [drug forfeiture fund established under RSA 318-B:17-c] general fund.

7 Disposition of Funds Obtained by the Attorney General. Amend RSA 7:6-e, III to read as follows:

III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, [drug forfeiture funds as provided in RSA 318-B:17-b through RSA 318-B:17-d,] fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.

8 New Section; Budget and Appropriations; Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. Amend RSA 9 by inserting after section 4-e the following new section:

- 9:4-f Department of Justice; Request for Appropriation for Drug Related Law Enforcement and Drug Treatment Programs. The department of justice shall include in its biennial operating budget request made pursuant to RSA 9:4, an appropriation to pay a portion of the costs of local, county, and state drug related investigations, as well as drug control law enforcement programs within New Hampshire. Such appropriation also may be used to pay extraordinary costs of local, county, and state drug prosecutions and trial expenses. Law enforcement agencies may apply to the department of justice for grants from the amount appropriated. Of the annual appropriation, \$5,000 shall be deposited into a special non-lapsing account established within the office of the state treasurer for the department of health and human services to fund drug education, prevention, and treatment services. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a summary of the grants provided to law enforcement agencies under this section for the preceding fiscal year.
 - 9 Repeal. The following are repealed:
- I. RSA 318-B:17-b, V, relative to the distribution of proceeds from items forfeited from drug offenses.
 - II. RSA 318-B:17-c, establishing the drug forfeiture fund.
- III. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses.
 - IV. RSA 6:12, I(b)(19), relative to the drug forfeiture fund.
 - 10 Effective Date.
 - I. Section 8 of this act shall take effect July 1, 2016.
 - II. Sections 2 and 3 of this act shall take effect January 1, 2017.
 - III. Section 4-7 and 9 of this act shall take effect July 1, 2017.
 - IV. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Makes an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.
- II. Limits forfeiture to cases in which the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime.
- III. Requires the state to deposit proceeds from forfeited property in the general fund and repeals the drug forfeiture fund.
- IV. Directs the attorney general to include in the department of justice's budget request an appropriation for the cost of local, county, and state drug related enforcement actions.
- V. Establishes a special non-lapsing account for the department of health and human services to fund drug education, prevention, and treatment programs.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 527-FN-A, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making an appropriation to the department of safety for the purchase of state police cruisers. OUGHT TO PASS WITH AMENDMENT.

Rep. Karen Umberger for Finance. The Police Standards and Training Council is faced with a shortfall in its dedicated fund that allows the council to provide training for tasts and least a shortfall.

Rep. Karen Umberger for Finance. The Police Standards and Training Council is faced with a short-fall in its dedicated fund that allows the council to provide training for state and local police, both full-time and part-time officers, and for state corrections officers. Police Standards and Training is funded through penalty assessment fees paid to the courts and through plea by mail. The penalty assessment fees for FY 17 are not projected to provide sufficient revenue to cover the budgeted training requirements. This would result in new police and corrections officers not receiving required training. In order to provide the training dollars necessary for this vital service, the amendment, which replaces the bill, transfers \$500,000 to the Police Standards and Training dedicated fund. Additionally \$900,000 will be transferred for the purpose of replacing the leaking tactical center roof and repairing the disintegrated driving and parking area. The dedicated fund does not have sufficient income to support these emergency repairs. The dollars to support this appropriation will come from projected lapses that are above and beyond budgeted lapses. The second part of the bill funds cruisers for the state police which were inadvertently omitted from the budget. The \$700,000 to support this appropriation will come from the highway fund and turnpike fund. Vote 26-0.

Amendment (1804h)

Amend the title of the bill by replacing it with the following:

transferring funds from the general fund to the police standards and training council training AN ACT fund, making an appropriation to the police standards and training council, and making an appropriation to the department of safety for the purchase of state police cruisers.

Amend the bill by replacing all after the enacting clause with the following:

1 Transfers; Police Standards and Training Council Training Fund; Appropriation; Police Standards and Training Council.

I. The sum of \$500,000 is hereby transferred from the general fund to the police standards and

training council training fund in the fiscal year ending June 30, 2016.

II. For the biennium ending June 30, 2017, the sum of \$900,000 is hereby appropriated to the police standards and training council for the purpose of replacing the tactical center roof and

repairing the driving and parking areas.

III. For the purposes of funding the transfer made in paragraph I and the appropriation made in paragraph II, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 2015, 276, and shall transfer said sums to appropriate police standards and training council accounting units. Prior to making said transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

2 Police Standards and Training Council. For the biennium ending June 30, 2017, police standards and training council accounting units 06-87-87-870510-8980, 06-87-87-871010-8999, 06-87-87-871510-8310, and 06-87-87-872010-8139 shall be exempt from budget footnote I contained in 2015, 275:1.08.

3 Department of Safety, Division of State Police; Appropriation.

I. There is hereby appropriated to the department of safety, division of state police, the sum of \$700,000 for the biennium ending June 30, 2017 for the purpose of the acquisition and equipping of new state police cruisers to replace those that have repairs exceeding the value of the vehicle.

II. The source of funds for the appropriation made in paragraph I shall be \$540,050 as a charge

against the highway fund and \$159,950 as a charge against the turnpike fund.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Transfers funds from the general fund to the police standards and training council training fund.

II. Appropriates funds from the general fund to the police standards and training council to repair the tactical center roof.

III. Appropriates funds from the highway fund and the turnpike fund to the department of safety for the purchase of police cruisers.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Len Turcotte offered floor amendment (1936h).

Floor Amendment (1936h)

Amend the title of the bill by replacing it with the following:

transferring funds from the general fund to the police standards and training council AN ACT training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

Amend the bill by replacing all after section 3 with the following:

4 Payment of Wages; Weekly or Biweekly. Amend the section heading of RSA 275:43 to read as follows:

275:43 Weekly or Biweekly.

5 Payment of Wages; Weekly or Biweekly. Amend the introductory paragraph of RSA 275:43, I to read as follows:

- I. Every employer shall pay all wages due to employees [within 8 days including Sunday after expiration of the week in which the work is performed] at regular intervals not to exceed 14 days, except when permitted to pay wages less frequently as authorized by the commissioner pursuant to paragraph [II] IV or IV-a(a), on regular paydays designated in advance by the employer and at no cost to the employee:
- 6 Payment of Wages; Weekly or Biweekly. Amend RSA 275:43, IV and RSA 275:43, IV-a(a) to read as follows:
- IV. The commissioner may, upon written petition showing good and sufficient reason, permit payment of wages [less frequently] other than weekly or biweekly, except that it shall be at least once each calendar month. In all instances, payment shall be made regularly on a predesignated date. The commissioner may prescribe the terms and conditions of such permission, and limit the duration thereof.

IV-a.(a) The commissioner may permit payment of wages less frequently than [weekly] biweekly where a school district collective bargaining agreement for hourly employees provides an option to be paid in any number of equal installments with one additional installment.

7 New Paragraph; Payment of Wages; Weekly. Amend RSA 275:43 by inserting after paragraph IV-a the following new paragraph:

IV-b. The commissioner may, on a temporary basis and after showing good and sufficient reason, require payment of wages weekly. The commissioner shall prescribe to the employer the terms, conditions, and duration of such temporary payments. Such restrictions shall only be in effect until the employer rectifies any deficiencies prescribed by the commissioner.

8 Effective Date.

- I. Sections 4-7 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Transfers funds from the general fund to the police standards and training council training fund.

II. Appropriates funds from the general fund to the police standards and training council to repair the tactical center roof.

III. Appropriates funds from the highway fund and the turnpike fund to the department of safety for the purchase of police cruisers.

IV. Permits employers to pay wages to employees weekly or biweekly.

Rep. Len Turcotte spoke in favor and yielded to questions.

On a division vote, with 162 members having voted in the affirmative, and 139 in the negative, floor amendment (1936h) was adopted.

Committee report adopted and ordered to third reading.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority. OUGHT TO PASS WITH AMENDMENT.

Rep. Frank Byron for Finance. This bill makes changes to the operating authority of the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery and appropriates \$3 million in additional funds to the Governor's Commission and \$2 million for supportive housing for persons with substance abuse disorders. The amendment requires the \$5 million to come from budgeted but unspent funds (lapses) beyond those already budgeted and appropriated. The amendment also requires the commission to produce performance reports to National Outcome Measurements Standards. Vote 23-1.

Amendment (1872h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

Amend RSA 12-J:4, III(b)(11) as inserted by section 7 of the bill by replacing it with the following:

(11) Performance outcomes pursuant to National Outcomes Measurement Standards (NOMS) as required with federal funding sources.

(12) Any other information requested by the governor or general court.

Amend section 10 of the bill by inserting after paragraph II the following new paragraph:

III. Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017.

Amend the bill by deleting section 11 and renumbering the original sections 12-14 to read as 11-13, respectively.

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission and the New Hampshire housing finance authority.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1922h).

Floor Amendment (1922h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, making supplemental appropriations to the commission and the New Hampshire housing finance authority, and repealing the license requirement for carrying a concealed pistol or revolver.

Amend the bill by replacing all after section 12 with the following:

13 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose[, and that the applicant is a suitable person to be licensed], unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take place within the month of the [fourth] fifth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-ofstate residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew

a license to carry for a resident or nonresident, unless requested by the applicant.

III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.

14 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as follows: 159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the license issued under RSA 159:6. The director shall apply to every jurisdiction with which New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement executed shall not expire unless an expiration date is required under the statutes of the reciprocal jurisdiction.

15 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is repealed. 16 Effective Date.

- I. Sections 13-15 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill makes supplemental appropriations to the commission and the New Hampshire housing finance authority.

The bill also:

I. Increases the length of time for which a license to carry a pistol or revolver is valid.

II. Allows a person to carry a loaded, concealed pistol or revolver without a license provided such person is not otherwise prohibited by law.

III. Repeals the requirement to obtain a license to carry a concealed pistol or revolver.

Reps. Hoell and Hannon spoke in favor and yielded to questions.

Rep. Kurk spoke against.

Brown, Duane

Rep. McConnell requested a roll call; sufficiently seconded.

YEAS 98 NAYS 204

YEAS - 98 BELKNAP

Gallagher, Brian Fraser, Valerie

	•	DESCRIPTION OF THE PROPERTY OF	
Aldrich, Glen	Dumais, Russell	Tilton, Franklin	
Howard, Raymond	Hurt, George	Spanos, Peter	
		CARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	
	(CHESHIRE	
Hunt, John	McConnell, James	Sterling, Franklin	
		coos	
Rideout, Leon		OD A EMOST	
	•	GRAFTON	

Johnson, Eric

HILLSBOROUGH

Hull, Robert

Adams, Christopher Bouldin, Amanda	Ammon, Keith Burt, John	Biggie, Barbara Byron, Frank	Boehm, Ralph Coffey, James
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Hogan, Edith

Belanger, James	Lachance, Joseph	McLean, Mark	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Pellegrino, Anthony	Christie, Rick	Sanborn, Laurie	Seidel, Carl
Shaw, Barbara	Simmons, Tammy	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	ME	RRIMACK	
Brewster, Michael	McGuire, Carol	Long, Douglas	McGuire, Dan
Hill, Gregory	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	Martin, John	Seaworth, Brian	
	ROC	CKINGHAM	
Abramson, Max	Baldasaro, Alfred	Bates, David	Cook, Allen
Dean-Bailey, Yvonne	Doucette, Fred	Duarte, Joe	Chase, Francis
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter	Osborne, Jason
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris
Vose, Michael	Weyler, Kenneth		
	ST	RAFFORD	
Beaudoin, Steven	Graham, Robert	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Leeman, Don	Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt
	S	ULLIVAN	
Converse, Larry	Laware, Thomas		
	N	AYS - 204	
	E	BELKNAP	
Fields, Dennis	Flanders, Donald		
	C	CARROLL	
Butler, Edward	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Eaton, Daniel	Emerson, Susan	Roberts, Kris
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy		0000	
		COOS	
Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	
	(GRAFTON	
Abel, Richard	Almy, Susan	Bailey, Brad	Cooney, Mary
Darrow, Stephen	Hennessey, Erin	Ford, Susan	Gionet, Edmond
Higgins, Patricia	Ladd, Rick	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		
	HIL	LSBOROUGH	
Griffin, Barbara	Balcom, John	Baroody, Benjamin	Barry, Richard
Christensen, Chris	Roberts, Carol	Cohen, Alan	Cornell, Patricia
Danielean David	DiGilyaetro Linda	Donovan Daniel	Edwards, Elizabeth

DiSilvestro, Linda

Freitas, Mary

Gorman, Mary

Danielson, David

Gonzalez, Carlos

Flanagan, Jack

Donovan, Daniel

Hansberry, Daniel

Gagne, Larry

Edwards, Elizabeth

Gidge, Kenneth

Hansen, Peter

Harvey, Suzanne
Infantine, William
Christiansen, Lars
Mangipudi, Latha
Long, Patrick
Rouillard, Claire
Snow, Kendall
Smith, Timothy
Woodbury, David

Heath, Mary
Jack, Martin
LeBrun, Donald
Manley, Jonathan
Pierce, David
Rowe, Robert
Soucy, Timothy
Takesian, Charlene

Herbert, Christopher Rice, Kimberly Leishman, Peter McNamara, Richard Porter, Mariorie Scontsas, Lisa Souza, Kathleen Williams, Kermit

Hinch, Richard Kurk, Neal O'Brien, Michael Brown, Pamela Walsh, Robert Shattuck, Gilman Straight, Phillip Wolf, Terry

MERRIMACK

Turcotte, Alan
Carson, Clyde
Gile, Mary
Kidder, David
Moffett, Howard
Rogers, Katherine
Walsh, Thomas

French, Barbara Deloge, Helen Frazer, June Kotowski, Frank Myler, Mel Saunderson, George Wallner, Mary Jane

Bartlett, Christy Doherty, David Karrick, David Luneau, David Patten, Dick Schuett, Dianne Wheeler, Deborah

Bradley, Paula Ebel, Karen Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick Cahill, Michael Thomas, Douglas Elliott, Robert Francese, Paula Heffron, Frank Katsakiores, Phyllis Manning, John Milz. David Packard, Sherman Simpson, Alexis

Barnes, Arthur Cali-Pitts, Jacqueline Devine, James Emerick, J. Tracy Ward, Gerald Hoelzel, Kathleen Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Potucek, John Sytek, John

Berrien, Skip Cardon, G. Thomas DiFranco, Debbie Rice. Frederick Guthrie, Joseph Introne, Robert Griffin, Mary McBeath, Rebecca O'Connor, John Tilton, Rio Welch, David

STRAFFORD

Baber, William
Burton, Wayne
Gray, James
Schmidt, Peter
Treleaven, Susan

Berube, Roger Cheney, Catherine Horrigan, Timothy Rollo, Deanna Verschueren, James

Bickford, David Cilley, Jacalyn Kaen, Naida Spang, Judith Wall, Janet

Bixby, Peter DiSesa, Len Smith, Marjorie Sprague, Dale

SULLIVAN

Schmidt, Andrew Grenier, James Rollins, Skip

Cloutier, John Irwin, Virginia Smith, Steven and floor amendment (1922h) failed. Gagnon, Raymond O'Hearne, Andrew

Gottling, Suzanne Oxenham, Lee

Committee report adopted and ordered to third reading. The House recessed at 5:45 p.m.

RECESS

The House reconvened at 6:30 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

SB 376-FN, relative to wildlife corridors. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Jonathan Manley for the Majority of Fish and Game and Marine Resources. This bill directs the Department of Fish and Game, in collaboration with the Department of Transportation and Department of Environmental Services, to study, identify, and monitor possible wildlife corridors for the protection and health of animals. It suggests a coalition of agencies to work together when construction and reconstruction can benefit these areas, such as the rebuilding of roads to allow safe passage of animals from one side to the other. Vote 11-5.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill, although well intentioned, is not ready for law. The Department of Fish and Game does not have adequate funding or plans on how to proceed with a mandated study at this time. If the department wants to look at possible wildlife corridors, they can do so without this bill mandating it must be done, and they can do so within their budget at their own pace.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Spillane spoke against.

Rep. Manley spoke in favor.

Majority committee report adopted and ordered to third reading.

SB 325, relative to vaccines administered by pharmacists. REFER FOR INTERIM STUDY.

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill added the MMR vaccine to the list of vaccines that may be administered by pharmacists. The committee considered adding more vaccines to the bill. Concerns were expressed that adding more vaccines to the list without an effective registry to ensure the safe administration of the vaccines. Concern was also expressed about departing further from the medical home model of health care. Because of the lack of consensus on the committee, it was decided to refer for interim study. Vote 13-4. Committee report adopted.

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form. OUGHT TO PASS WITH AMENDMENT.

Rep. Bill Nelson for Health, Human Services and Elderly Affairs. This bill as amended adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program. It also establishes a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. The goal is to require controlled drugs (when available) to be rendered useless if tampered with. Vote 18-0.

Amendment (1313h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Commission to Study Requiring Controlled Drugs and Controlled Drug Analogs to be Provided in Abuse-Deterrent Formulation. Amend RSA 318-B by inserting after section 40 the following new section:

318-B:41 Commission Established; Membership; Duties.

- I. There is established a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.
 - (a) The members of the commission shall be as follows:
 - (1) One member of the senate, appointed by the president of the senate.
- (2) One member of the house of representatives, appointed by the speaker of the house of representatives.
 - (3) The commissioner of the department of health and human services, or designee.
 - (4) A pharmacist, appointed by the board.
- (5) Three licensed physicians, one of whom shall specialize in pain medicine, one of whom shall specialize in addiction medicine, and one of whom practices in the field of primary care medicine, appointed by the board of medicine.
 - (6) An APRN, appointed by the New Hampshire board of nursing.
 - (7) A representative of an abuse-deterrent drug manufacturer, appointed by the governor.
 - (8) A representative of an insurance company, appointed by the governor.
 - (9) The executive director of New Futures, or designee.

- (b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
- II.(a) The commission shall study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation when available. The commission's study shall include, but not be limited to:
- (1) The cost effectiveness of requiring such drugs to be provided in abuse-deterrent formulation.
 - (2) Whether the abuse-deterrent formulation of the drugs work.
 - (3) Whether the abuse-deterrent formulation of such drugs are readily available.
- (4) The effect requiring such drugs to be provided in abuse-deterrent formulation will have on insurance premiums.
 - (5) A review of current insurance carrier coverage and prior authorization practices.
- (b) The commission shall solicit information from any person or entity the commission deems relevant to its study.
- III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.
- IV. The commission shall make a report on or before November 1, 2016 indicating its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.
- 3 Repeal. RSA 318-B:41, relative to a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation, is repealed.
 - 4 Effective Date.
 - I. Section 3 of this act shall take effect November 1, 2016.
 - II. Section 2 of this act shall take effect upon its passage.
 - III. The remainder of this act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill:

- I. Adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program.
- II. Establishes a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 534-FN, to implement a system of care for children's behavioral health. OUGHT TO PASS. Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation is the result of extensive work by the New Hampshire Children's Behavioral Health Collaborative. It supplements the planning of the New Hampshire Mental Health Commission resulting in a comprehensive state behavioral health plan. Over fifty organizations participate in the work of the Children's Collaborative. This plan is based on a "best practice" approach known as a System of Care. The plan is described as "an integrated and comprehensive delivery system that is family-driven, youth-guided, community based and culturally and linguistically competent." Vote 18-0.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

YEAS 197 NAYS 99

YEAS - 197

BELKNAP

Tilton, Franklin Fields, Dennis Flanders, Donald

CARROLL

 Buco, Thomas
 Butler, Edward
 Chandler, Gene
 Cordelli, Glenn

 McConkey, Mark
 Nelson, Bill
 Schmidt, Stephen
 Ticehurst, Susan

 Umberger, Karen

CHESHIRE

COOS

GRAFTON

Abbott, Michael Bordenet, John Roberts, Kris Pearson, William Tatro, Bruce

Froburg, Alethea Theberge, Robert

Abel, Richard Gionet, Edmond Maes, Kevin Smith, Suzanne

Griffin, Barbara Biggie, Barbara Danielson, David Flanagan, Jack Goley, Jeffrey Harvey, Suzanne Jack, Martin Leishman, Peter McNamara, Richard Pierce, David Rouillard, Claire Snow, Kendall Takesian, Charlene

Turcotte, Alan Doherty, David Kenison, Linda MacKay, James Rogers, Katherine Walsh, Thomas

Christie, Andrew Cali-Pitts, Jacqueline DiFranco, Debbie Chase, Francis Hagan, Joseph Sweeney, Joe Griffin, Mary McBeath, Rebecca O'Connor, John Tilton, Rio Weyler, Kenneth

Baber, William Burton, Wayne Horrigan, Timothy Schmidt, Peter Treleaven, Susan Ames. Richard Eaton, Daniel Lev. Douglas Phillips, Larry Weber, Lucy

Hatch, William Tholi, John

Almy, Susan Higgins, Patricia Massimilla, Linda Sykes, George

HILLSBOROUGH

Balcom, John Roberts, Carol DiSilvestro, Linda Freitas, Mary Gorman, Mary Heath, Mary Kurk, Neal O'Brien, Michael Brown, Pamela Porter, Marjorie Rowe, Robert Soucy, Timothy Vann, Ivy

Bradley, Paula Ebel, Karen Kidder, David Moffett, Howard Saunderson, George Waliner, Mary Jane

Abrami, Patrick Cardon, G. Thomas Doucette, Fred Fesh, Robert Heffron, Frank Ward, Joanne Major, Norman McMahon, Charles Gordon, Pamela Simpson, Alexis

Berube, Roger Cilley, Jacalyn Ward, Kenneth Rollo, Deanna Verschueren, James Tilton, Benjamin Emerson, Susan Mann, John Robertson, Timothy

Moynihan, Wayne Thomas, Yvonne

Cooney, Mary Ladd, Rick Nordgren, Sharon Townsend, Charles

Baroody, Benjamin Cohen, Alan Donovan, Daniel Gagne, Larry Guerette, C. Lee Hinch, Richard Christiansen, Lars Mangipudi, Latha Long, Patrick Proulx, Mark Shattuck, Gilman Straight, Phillip

MERRIMACK Carson, Clyde Frazer, June Kotowski, Frank Myler, Mel Schuett, Dianne Wheeler, Deborah

Wolf, Terry

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Berrien, Skip Cushing, Robert Edgar, Michael Ward, Gerald Hoelzel, Kathleen Kolodziej, Walter Manning, John Milz. David Packard, Sherman Sytek, John

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Richardson, Herbert

Ford, Susan Hennessey, Martha Piper, Wendy

Barry, Richard Cornell, Patricia Edwards, Elizabeth Gargasz, Carolyn Hansberry, Daniel Infantine, William LeBrun, Donald Manley, Jonathan Pellegrino, Anthony Walsh, Robert Shaw, Barbara Smith, Timothy Woodbury, David

Deloge, Helen Karrick, David Luneau, David Ratzki, Mario Shurtleff, Stephen

Cahill, Michael Devine, James Elliott, Robert Guthrie, Joseph Introne, Robert Loveiov, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Welch, David

Bixby, Peter Gray, James Smith, Marjorie Sprague, Dale

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Avellani, Lino Comeau, Ed Parker, Harold

CHESHIRE

McConnell, James Sterling, Franklin

COOS

Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Hull, Robert

HILLSBOROUGH

Adams, Christopher Boehm, Ralph Bouldin, Amanda Burt, John Byron, Frank Coffey, James Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Gould, Linda Hansen, Peter Hogan, Edith Belanger, James Rice. Kimberly Lachance, Joseph McLean, Mark Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Parison, James Christie, Rick Sanborn, Laurie Scontsas, Lisa Seidel, Carl Simmons, Tammy Souza, Kathleen Twombly, Timothy Ulery, Jordan Sullivan, Victoria

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Brewster, Michael McGuire, Carol Long, Douglas McGuire, Dan Hill, Gregory Hoell, J.R. Horn, Werner Kuch, Bill Marple, Richard Martin, John Seaworth. Brian

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Abramson, Max Baldasaro, Alfred Barnes, Arthur Bates, David Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne Duarte, Joe Emerick, J. Tracy Rice, Frederick Gannon, William Green, Dennis Harris, Jeffrey Hodgdon, Bruce Itse. Daniel Kappier, Lawrence Katsakiores, Phyllis Osborne, Jason Potucek, John Gordon, Richard Schroadter, Adam Spillane, James True, Chris Vose, Michael

STRAFFORD

 Beaudoin, Steven
 Cheney, Catherine
 Graham, Robert
 Groen, Warren

 Hannon, Joseph
 Jones, Laura
 Kaczynski, Thomas
 Knowles, Robert

 Turcotte, Leonard
 Leeman, Don
 Pitre, Joseph
 Whitehouse, Joshua

Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the committee report was adopted and ordered to third reading.

SB 331, relative to fulfilling the requirement for a notarized signature electronically. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Michael Sylvia for the Majority of Judiciary. This bill would add to the chapter in our laws under statutory construction a section for "Notarized Signatures." It would allow an electronic signature "under

the penalty of perjury" to satisfy the requirement for a notarized signature. This may be convenient in the short term to avoid the need to have a notary public verify that you are in fact the person signing a document and that you are doing so of your own free will, but in the long run documents signed electronically and challenged in court will cause many more problems and any savings will be lost. Documents that do not require the higher standard of notarization, filed with the court electronically, are currently allowed under RSA 21:52 ("Under Oath") which makes an electronic signature "under the penalty of perjury." Electronic signatures and the documents to which they are attached are subject to hacking and are only as good as the security systems in place to protect them. Any document important enough to warrant notarization is not currently protected by a simple electronic signature. Vote 14-6. Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that signing electronically filed documents that currently require notarization under penalty of perjury (which mirrors federal law in place since 1976) would improve service to our citizens and facilitate the state's ability to deliver services efficiently. We note that any agency can retain the current notarization requirements by simply requiring the document be filed by hard copy. We believe this improvement can be implemented with no significant loss of surety.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, with 240 members having voted in the affirmative, and 56 in the negative, the majority committee report was adopted.

SB 387, relative to the disposition of ward accounts. OUGHT TO PASS WITH AMENDMENT. Rep. Claire Rouillard for Judiciary. This bill allows a guardian to file an affidavit in the probate court, 30 days after the ward's death, to dispose of personal property remaining in the possession of the guardian belonging to the deceased, if the account is no more than \$5,000. It also provides that the probate court may order payment of known debts of the deceased, social security representative payee accounts, and any balance paid to the ward's beneficiaries. The probate court may also order the guardian to pay the balance of the estate to the state treasurer to be held as abandoned property pursuant to statute. If there is a will, property will be disbursed pursuant to the will. This bill is similar to current law RSA 151-A:15, which allows a nursing home administrator to file an affidavit in probate court to dispose of the deceased personal property. Passage of this bill would allow the Office of Public Guardian to file for disbursement of funds contained in many small inactive accounts. Vote 16-0.

Amendment (1401h)

Amend RSA 464-A:40, V(a) as inserted by section 1 of the bill by replacing it with the following: V.(a) If, within 30 days after the date of a testate or intestate ward's death no petition for probate has been filed under any section of RSA 553 and the gross value of the personal property remaining in the possession of the guardian belonging to the deceased, including any amount left in designated accounts for the ward, is no more than \$5,000, the guardian may file in the probate court in the county having jurisdiction over the guardianship an affidavit for the purpose of disposing of such deceased ward's estate. Once approved by the court, the guardian shall be authorized to dispose of the ward's accounts in a manner consistent with the court's order. The form of the affidavit, and the rules governing proceedings under this section, shall be provided by the probate court pursuant to RSA 547:33.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 426, establishing an end-of-life choices study commission. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Larry Phillips for the Majority of Judiciary. A diverse and bipartisan group of sponsors and committee members believe that a broad-ranging commission should investigate end-of-life care and choices aimed at greater quality at the end of life for citizens of the state. The commission membership involves a diverse set of organizations, expertise and perspectives necessary for an effective and thoughtful study. Vote 9-7.

Rep. Joseph Hagan for the Minority of Judiciary. The minority believes that bill would give a forum for the well-funded proponents of physician-assisted suicide to drive discussion of other issues, which were in the committee amendment, out of deliberations. While we strongly believe in improving palliative care for the terminally ill, the minority cannot support any process that violates human dignity by actively terminating human lives.

Majority Amendment (1257h)

Amend RSA 137-J:38, II(a) as inserted by section 1 of the bill by replacing it with the following: II.(a) The commission's study shall include, but not be limited to, reviewing RSA 137-J, investigating the positive and negative effects of potential legislation relating to end-of-life care and end-of-life choices, innovation practices of other states, how to encourage careful and responsible deliberation about this issue, and any other matter the commission deems relevant to its objective.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Wuelper and Groen spoke against.

Reps. Hagan and Baldasaro spoke against and yielded to questions.

Rep. Phillips spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

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Ames, RichardTilton, BenjaminBerch, PaulBordenet, JohnEaton, DanielLey, DouglasMann, JohnMcConnell, JamesParkhurst, HenryPearson, WilliamPhillips, LarryRobertson, TimothyShepardson, MarjorieWeber, Lucy

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Abel, RichardAlmy, SusanCooney, MaryFord, SusanHiggins, PatriciaHennessey, MarthaMaes, KevinNordgren, SharonPiper, WendySmith, SuzanneSykes, GeorgeTownsend, Charles

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	ST	RAFFORD	
Baber, William Cilley, Jacalyn Kaen, Naida Treleaven, Susan	Bickford, David DiSesa, Len Smith, Marjorie Verschueren, James	Bixby, Peter Horrigan, Timothy Schmidt, Peter	Burton, Wayne Ward, Kenneth Spang, Judith
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Converse, Larry Oxenham, Lee	Gottling, Suzanne Rollins, Skip	Irwin, Virginia	O'Hearne, Andrew
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	F	BELKNAP	
Dumais, Russell Howard, Raymond	Tilton, Franklin Hurt, George	Flanders, Donald Spanos, Peter	Gallagher, Brian Fraser, Valerie
	C	CARROLL	
Avellani, Lino Cordelli, Glenn Schmidt, Stephen	Buco, Thomas McConkey, Mark	Chandler, Gene Nelson, Bill	Comeau, Ed Parker, Harold
	C	HESHIRE	
Abbott, Michael Sterling, Franklin	Emerson, Susan Tatro, Bruce	Hunt, John	Roberts, Kris
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Hatch, William Theberge, Robert	Moynihan, Wayne Tholl, John	Richardson, Herbert Thomas, Yvonne	Rideout, Leon
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Bailey, Brad Gionet, Edmond	Darrow, Stephen Hull, Robert	Hennessey, Erin Ladd, Rick	Johnson, Eric Massimilla, Linda
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Lachance, Joseph Murphy, Keith Pellegrino, Anthony Rouillard, Claire Shaw, Barbara	LeBrun, Donald Notter, Jeanine Pierce, David Rowe, Robert Simmons, Tammy	Ohm, Bill Christie, Rick Sanborn, Laurie Soucy, Timothy Ulery, Jordan	Parison, James Walsh, Robert Seidel, Carl Souza, Kathleen Sullivan, Victoria
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Martin, John

Wheeler, Deborah

Marple, Richard

Walsh, Thomas

Kuch, Bill

Seaworth, Brian

Rogers, Katherine

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cook, Allen Duarte, Joe Rice, Frederick Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Griffin, Mary McMahon, Charles Potucek, John	Abrami, Patrick Bates, David Thomas, Douglas Elliott, Robert Fesh, Robert Hagan, Joseph Introne, Robert Kappler, Lawrence Major, Norman O'Connor, John Gordon, Richard	Abramson, Max Cali-Pitts, Jacqueline Devine, James Emerick, J. Tracy Gannon, William Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Manning, John Osborne, Jason Tilton, Rio	Baldasaro, Alfred Cardon, G. Thomas Doucette, Fred Chase, Francis Green, Dennis Hodgdon, Bruce Sweeney, Joe Kolodziej, Walter Matthews, Carolyn Packard, Sherman Schroadter, Adam	
Potucek, John Spillane, James Welch, David	Gordon, Richard Sytek, John Weyler, Kenneth	Tilton, Rio True, Chris	Schroadter, Adam Vose, Michael	

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Pitre, Joseph	Berube, Roger Groen, Warren Knowles, Robert Rollo, Deanna	Cheney, Catherine Hannon, Joseph Turcotte, Leonard Sprague, Dale	Graham, Robert Jones, Laura Leeman, Don
Pitre, Joseph	Rollo, Deanna	Sprague, Dale	Wall, Janet
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Cloutier, John	Gagnon, Raymond	Grenier, James	Laware, Thomas
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and the majority committee report failed.

Rep. Barbara Griffin voted Yea and intended to vote Nay.

Rep. Wuelper moved the minority committee report of Inexpedient to Legislate.

Minority committee report adopted.

SB 416, relative to flexible working arrangements in employment. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Dianne Schuett for the Majority of Labor, Industrial and Rehabilitative Services. The bill prohibits an employer from retaliating against an employee who requests a flexible work schedule. The committee heard no testimony in opposition at the hearing and nearly unanimous support subsequent to the hearing. As amended by the Senate, the bill states it does not require the employer to accommodate the request and that non-accommodation shall not create a cause of action. The committee heard from a Department of Labor attorney that it has a straightforward anti-retaliation provision that the department has defined and can be easily administered. The vote reflects the bipartisan support of the committee. Vote 13-5.

Rep. Tammy Simmons for the Minority of Labor, Industrial and Rehabilitative Services. This is vaguely worded legislation that has the potential for several unintended consequences. The intent of this bill is to prohibit an employer from "retaliating" against an employee for requesting a flexible work schedule, yet the bill contains no definitive meaning or examples of retaliation and attempts to define "retaliate" only produced subjective definitions. It is of value to remember that NH is an "at will" state, meaning any employer can dismiss any employee without cause at any time. The bill's language also states that it is not construed to require an employer to accommodate a flex work schedule nor does it construe a cause of action, yet both of these points suggest the potential for lawsuits at worse or unnecessary administrative actions by the Dept. of Labor in the least. The language further creates the possibility that potential employers might be discouraged from hiring certain employees to avoid potential actions against them down the road. It was noted during testimony that half of businesses currently offer such flex work schedules, indicating that many employers see value in such an arrangement already. What works for some employers does not or cannot work for others. Each employer and employee currently mutually agree to pay, benefits, and other employment requirements when the employee is hired. The need for further regulations which would cause interference with this employer-employee relationship is not business-friendly. While the minority of the committee finds the intent of this bill to be laudable, the bill, as amended by the Senate, should be voted Inexpedient to Legislate.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, with 153 members having voted in the affirmative, and 140 in the negative, the majority committee report was adopted and ordered to third reading.

SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act." WITHOUT RECOMMENDATION.

Statement in support of Ought to Pass with Amendment: This bill was proposed to update the references in state law to the federal "Workforce Innovation and Opportunity Act of 2014" from the 1998 version. It also updates references to several federal databases. These databases are used by the state to track the success of workforce training programs when graduates of such programs are employed in a different state than where the training took place. The committee recognizes that this bill is needed so that we may continue to evaluate federally funded training programs in our Career and Technical Education (CTE) schools, community college system, etc. using aggregate data on earnings by program. This information helps determine which programs are producing improved wages for participants working in New Hampshire or elsewhere. The United States Department of Labor anticipates a change in the program name and the Department of Employment Security (DES) has requested that we continue participation in the program as long as certain conditions are met. Limitations on the use of data are contained in the federal law, but this was unclear when we held the hearing on this bill. The committee amended the bill but split in the final vote tally. All personal identifying information is removed from the data, which consists of median aggregated wages in specific job fields, and all standard educational privacy requirements are also honored and upheld, thereby protecting our constituents while furthering their pursuit of new job training and job skills. The committee split centers on the automatic conformance to changes to the federal program, which the adopted amendment deleted. One floor amendment incorporates this change and will ensure that the data is used only for the purposes intended, even if federal law or interpretation changes. This reflects the philosophy that government program changes should be examined by the legislature and not delegated away by automatic adoption by reference. Although some members of the committee felt that more restrictive language was needed so that DES must return to the legislature for consent, others felt that sufficient oversight is provided by the Advisory Council on Unemployment Compensation and that there is no motivation for future heads of DES to act in other than the best interests of our state. This position is reflected in another floor amendment.

Rep. William Infantine

Rep. Infantine moved Ought to Pass with Amendment and offered floor amendment (1894h).

Floor Amendment (1894h)

Amend the title of the bill by replacing it with the following:

AN ACT changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

Amend RSA 282-A:118, V as inserted by section 2 of the bill by replacing it with the following:

V. That for the purpose of assessing governmental performance and accountability, the commissioner of the department of employment security may provide information to the Wage Record Interchange System, the Wage Record Interchange System 2, and the Federal Employment Data Exchange System, developed by the U.S. Department of Labor as administered by the U.S. Department of Labor, or its designee, and utilized by each state's Performance Accountability and Customer Information Agency (PACIA). The use of the information shall be limited to the purposes contained in the federal [Workforce Investment Act] Workforce Innovation and Opportunity Act of 2014 or the Wagner-Peyser Act. The department may only provide aggregate statistical reports to entities participating in federal or state supported workforce training programs and only for purposes of assessment and evaluation of those programs. The department shall require any such qualifying entity to enter into an agreement with the department which sets forth terms and conditions that are consistent with federal and state law prior to being provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place;

AMENDED ANALYSIS

This bill changes statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act." This bill also restricts the provision of certain aggregate statistical reports to entities participating in federal or state supported workforce training programs. Rep. Infantine withdrew his motion of offering floor amendment (1894h).

MOTION TO LAY ON THE TABLE

Rep. Len Turcotte moved that SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs, be laid on the table.

On a division vote, with 139 members having voted in the affirmative, and 145 in the negative, the motion failed.

The question now being adoption of the motion of Ought to Pass. Rep. Infantine offered floor amendment (1897h).

Floor Amendment (1897h)

Amend the title of the bill by replacing it with the following:

AN ACT changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

Amend RSA 282-A:118, V as inserted by section 2 of the bill by replacing it with the following:

V. That for the purpose of assessing governmental performance and accountability, the commissioner of the department of employment security may provide information to the Wage Record Interchange System, the Wage Record Interchange System 2, the Federal Employment Data Exchange System, or any other similar system or combination thereof in effect on or before July 1, 2018 developed by the U.S. Department of Labor as administered by the U.S. Department of Labor, or its designee, and utilized by each state's Performance Accountability and Customer Information Agency (PACIA). The use of the information shall be limited to the purposes contained in the federal [Workforce Investment Act] Workforce Innovation and Opportunity Act of 2014 or the Wagner-Peyser Act. The department may only provide aggregate statistical reports to entities participating in federal or state supported workforce training programs and only for purposes of assessment and evaluation of those programs. The department shall require any such qualifying entity to enter into an agreement with the department which sets forth terms and conditions that are consistent with federal and state law prior to being provided any aggregate statistical reports. Information under this paragraph shall only be provided upon a finding by the commissioner that sufficient guarantees of continued confidentiality are in place;

AMENDED ANALYSIS

This bill changes statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act." This bill also restricts the provision of certain aggregate statistical reports to entities participating in federal or state supported workforce training programs.

Rep. Infantine spoke in favor and yielded to questions.

Rep. Len Turcotte spoke against.

Rep. Ley spoke in favor.

Floor amendment (1897h) was adopted.

Motion of Ought to Pass with Amendment adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Infantine moved that the House reconsider its action whereby, on a voice vote, the House adopted the motion of Ought to Pass with Amendment on SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

On a division vote, with 112 members having voted in the affirmative, and 173 in the negative, the motion failed

REGULAR CALENDAR CONT'D

SB 66, relative to the naming of areas of the state house complex. OUGHT TO PASS WITH AMENDMENT.

Rep. Sherman Packard for Legislative Administration. Speaker George Roberts served the State of New Hampshire honorably for 7 terms in the House of Representatives. As Speaker of the House, he was instrumental in the acquisition and renovation of "The Old Post Office," which gave the General Court an office building across from the State House, to better serve the citizens of our state. This bill names the Legislative Office Building lobby the George Roberts Hall in recognition of his achievements and service. The Legislative Administration Committee voted unanimously to recommend adoption of this bill with an amendment. The Senate version of the bill required the naming of areas in the State House complex to be approved by the Joint Legislative Historical Committee and the Joint Committee on Legislative Facilities. The committee amendment returns the bill to its original language. Vote 9-0.

Amendment (1486h)

Amend the title of the bill by replacing it with the following:

AN ACT naming the lobby of the legislative office building after former speaker of the house George Roberts.

Amend the bill by replacing all after the enacting clause with the following:

1 Legislative Findings. George Roberts served 14 years in the New Hampshire house of representatives including being elected as speaker of the house from 1975 through 1980. He was actively involved in the National Conference of State Legislatures from its creation in 1975 and served as its president in 1979-80. Among his many legislative initiatives include the renovation of the Old Post Office as the Legislative Office Building of today. Therefore in recognition of his many contributions to the citizens of New Hampshire and the New Hampshire legislature, the general court hereby names the lobby of the Legislative Office Building the George Roberts Hall.

2 Legislative Office Building; George Roberts Hall. The lobby of the Legislative Office Building is hereby named George Roberts Hall, for former speaker of the house, the Honorable George Roberts.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill names the lobby of the legislative office building after former speaker of the house George Roberts.

On a division vote, with 200 members having voted in the affirmative, and 85 in the negative, the committee amendment was adopted.

Committee report adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Shurtleff moved that the debate on SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts, be printed in the Permanent Journal. Motion adopted.

DEBATE ON SB 66

Speaker Jasper: Division has been requested. This will be a division vote. Members will take their seats. The House will come to order. The question is on the committee amendment on SB 66. The Chair recognizes Representative McGuire for a parliamentary inquiry.

Representative Carol McGuire: Thank you, Mister Speaker. If I know that this amendment names the State, the LOB lobby for former Speaker, George Roberts. And, if I know that the Honorable Mister Roberts is still alive and may he live for many years, but if I know that we have a policy of not naming things for people who are still alive, would I now push the red button and kill this amendment?

Speaker Jasper: The question is on the committee amendment on SB 66. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

Representative Packard: Thank you, Mister Speaker. If I know that without George Robert's input, we would not have the Legislative Office Building at this point. And, if I know we shouldn't have to wait until somebody dies to recognize them for their accomplishments, would I now press the green button and pass this amendment?

Speaker Jasper: The question is on the committee amendment on SB 66. This is a division vote. If you are in favor, you'll press the green button. If you are opposed, you will press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 200 votes in the affirmative and 85 in the negative, the committee amendment is adopted. Question is on the adoption of the committee report. Chair recognizes the member from Londonderry to speak in favor of the motion. Representative Packard waives speaking. Are you ready for the question, which is on the adoption of the committee report? All those in favor, signify by saying Aye; those opposed, Nay. The Ayes have it and the committee report is adopted.

On passage of the past bill, I want to take a moment, just a moment to speak since it has passed and I'm not weighing in on the House's recommendation. I think this whole House should know just how much we owe to former Speaker Roberts. When he first was the Majority Leader under Marshall Cobleigh, the Speaker didn't even have a suitable office. Speaker Roberts told me the first week that I became Speaker that was the Attorney General's office. Speaker Cobleigh sent him to the Attorney General and said to him, "Would you like to move before or after Christmas?" The Attorney General said, "Well, you can't do that." Speaker Roberts, Majority Leader at the time, said, "Yes we control this building and yes, we will give you a nice office over in the annex. You can pick any corner office you want and we will buy you all new furniture, whatever you want. Now, would you like to move before or after Christmas?" So, as I was cleaning out the desk, because this is sort of a little funny story. When I got to the Speaker's office, the whole middle drawer was just filled with thousands of paperclips that had been left to the next Speaker by Speaker Norelli and as I finally had time to clean that out, in the bottom it said, "This desk first used by Speaker Roberts 1976-1980. Same desk in there; same couch in there. Speaker Roberts really did so much to get that building because the Governor and Council were ready to sign-off on not being interested in it and he bluffed them and ended up buying that. He also got us the Upham Walker House. He personally went in and bid on behalf of the State for the furniture after consulting with the historical society. For most of us, the most important thing that we need to know is the real reason that we have fair hearings on every bill is because of George Roberts. He was willing to give away the power of the Speaker and of the Chairman to pocket veto every bill, because until that time, any Chairman could simply put a bill in the desk and it would never come out and of course, at the order of the Speaker, that would happen whenever he wanted it to, but he gave away that ability so that every member of this House and every future legislator would have the opportunity to put bills in and have them heard in committee and have them acted on here, as we are today. We owe him so much, so much. Thank you. For what purpose does the member rise? Representative Shurtleff: Mister Speaker, I move that your eloquent remarks be placed in the Permanent Journal.

Speaker Jasper: Are you ready for the question? All those in favor of having the remarks of the Speaker placed in the Permanent Journal, say Aye; those opposed, Nay. The Ayes have it and the motion is adopted.

REGULAR CALENDAR CONT'D

SB 59, relative to the removal of county officers and temporary filling of the office. OUGHT TO PASS WITH AMENDMENT.

Rep. Catherine Cheney for Municipal and County Government. This bill provides a method for removing a county officer and filling the position by correcting a gap in law where self-governance would be overlooked. This happened in Rockingham County where the county attorney was removed. The county convention did not have appropriate input to the process as representatives of the people. Any possible removal of an elected official should also have full disclosure of what the wrongdoing is if an elected official is removed. Existing statute allows only 5 voters to petition for a removal and this invites frivolous actions requiring a convention meeting. The committee also amended the bill to include HB 192 relative to pole tax abatements, which passed the House last year. Vote 16-0.

Amendment (1597h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the removal of county officers and temporary filling of the office, and relative to the valuation of utility property.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Utility Property Tax; Determination of Value. Amend RSA 83-F:3 to read as follows:

83-F:3 Determination of Value. On or before December 1 of the tax year, the commissioner shall determine the market value of utility property for the purposes of this chapter by utilizing generally accepted appraisal methods and techniques. Market value means the property's full and true value as defined under RSA 75:1. In the case of regulated public utilities as defined in RSA 362:2, the commissioner shall hold a single public hearing annually prior to performing assessments, in order to receive public input on assessments under this chapter. Notice of such determination shall be given to the taxpayer within 15 days of the commissioner's determination. The commissioner's determination under this section shall be used only for the purposes of this chapter and shall not be used by either the local political subdivision or the utility in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17.

AMENDED ANALYSIS

This bill allows the county convention, upon a petition initiated by the county commissioner, the county attorney or a superior court judge, to remove a county officer for official misconduct. The bill allows the county convention to temporarily appoint a person for a county office. This bill also provides that the value for utility property determined by the commissioner of revenue administration for the purposes of the utility property tax shall not be used for an abatement under RSA 76. Committee amendment adopted.

Committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Speaker Jasper moved that the House reconsider its action whereby, on a voice vote, the House adopted the majority committee report of Ought to Pass with Amendment on SB 59, relative to the removal of county officers and temporary filling of the office.

Motion adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Abrami moved that the House reconsider its action whereby, on a voice vote, the House adopted committee amendment (1597h) on SB 59, relative to the removal of county officers and temporary filling of the office.

Motion adopted.

The question now being adoption of committee amendment (1597h). The Speaker ruled committee amendment (1597h) non-germane. Motion of Ought to Pass adopted and ordered to third reading.

SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill establishes a committee to study the effect of short-term rentals on municipalities. The amendment modifies the committee membership providing that representatives be included from the Commerce and Consumer Affairs Committee, the Municipal and County Government Committee and the Ways and Means Committee. The recent expansion of Airbnb and bed and breakfast businesses has raised concerns about zoning restrictions, safety, and taxation, among other issues. The goal is to take an in depth look at this issue and return to the legislature with recommendations by November 2016 for possible legislation to be considered in the 2017 legislative year. Vote 12-4.

Rep. Keith Ammon for the Minority of Municipal and County Government. Although this bill merely creates a study committee, the minority feels this bill is a reaction to the burgeoning "sharing" and "gig" economy facilitated by new technology such as the Airbnb platform. Why burden new sectors of economic activity with taxes and regulations before they have had a chance to mature? This position is anti-jobs and anti-prosperity. The issue of "fairness" came up: "Why should existing and entrenched players, such as hotels, pay Rooms and Meals taxes while the family renting out an extra bedroom for the weekend does not?" The focus should be on reducing taxes and regulation for existing players, not saddling modern entrepreneurship with buggy-whip era regulation. It appears that only regulators, industry insiders, and government interests will be consulted. The authors of the bill give no deference to the consumers or the providers of these services, the people voluntarily trading value for

value using their own property. After all, if users of these services thought they were being cheated, word would quickly spread using modern communications platforms, such as the Internet, and very few people would use the service in the first place. People naturally cease economic activity if they consider it unfair or dangerous. Some in the minority thought that even though the amendment makes changes to the makeup of the committee, a quorum will be difficult to achieve; if people show up for the committee but a quorum isn't present then this would waste valuable time.

Majority Amendment (1452h)

Amend the bill by replacing sections 2-3 with the following:

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Two members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the commerce and consumer affairs committee, one of whom shall be a member of the municipal and county government committee, and one of whom shall be a member of the ways and means committee.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall:

- I. Solicit information from appropriate municipal officials regarding the effect of short-term rentals on their communities.
- II. Solicit input from real estate professionals with regard to possible regulation and zoning of short-term rentals.
- III. Review steps proposed and taken in other states to bring short-term rentals into compliance with state commerce, municipal, and tax laws.
- IV. Seek advice and council from other appropriate entities, including but not limited to, the department of revenue administration, the department of resources, and economic development and the New Hampshire Municipal Association.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 364, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan. **OUGHT TO PASS WITH AMENDMENT**.

Rep. Patricia Higgins for Public Works and Highways. As introduced, the bill intended to create a study committee on the feasibility of incorporating complete streets into the 10-year transportation improvement plan. The committee amendment removes all reference to the 10-year transportation improvement plan, changes the title of the bill, specifies that the 3 representatives come from the Public Works and Highways Committee, and articulates the duties of the study committee to ensure that the committee shall look at items and ideas that do not impact the state's highway fund. Complete streets is a design approach to implement local transportation planning benefitting all users regardless of their particular means of transportation, age, or mobility challenges. Vote 11-5.

Amendment (1541h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

Amend the bill by replacing sections 1-3 with the following:

1 Committee Established. There is established a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, all of whom shall be members of the public works and highways committee, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

- 3 Duties. The committee, in conjunction with municipalities and the department of transportation, shall review:
 - I. Existing department of transportation policies regarding complete streets.
 - II. Previous department of transportation projects that incorporate complete streets.

III. Examples of complete streets projects.

IV. Implementation of a complete streets program that does not draw on any funds from the New Hampshire highway fund to implement any part of the complete streets program.

V. Whether there are federal highway funds that could be allocated to a complete streets program that would not diminish any funds that could otherwise be utilized for highway projects.

AMENDED ANALYSIS

This bill establishes a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 198 members having voted in the affirmative, and 80 in the negative, the committee report was adopted and ordered to third reading.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James McConnell for the Majority of Resources, Recreation and Development. This bill, written in cooperation with the Department of Resources and Economic Development (DRED), corrects a number of deficiencies in RSA 121, including incorporating the duties of the former Land Use Board into DRED and establishing a clear, unambiguous and accurate method for tracking the federal ownership of land in New Hampshire. RSA 121, as amended by the bill, will limit federal land ownership in New Hampshire to 2% of the state's land area, excluding the existing White Mountain National Forest within the original 1929 boundary, and further limit the federal ownership of land in any town or municipality to 5% of the total assessed property value. This bill provides a clear, standardized means of ensuring that towns and municipalities can remain in compliance with this requirement and establishes a new procedure for permitting towns and municipalities to exceed that limit when approved by the voters. The amendment, in concert with the bill, provides towns and municipalities in which the White Mountain National Forest proposes to acquire lands with the same rights as are granted to all other towns and municipalities in the state under RSA 121. Involving towns and municipalities in meeting these requirements is important, since remaining property owners are forced to pay higher real estate taxes to cover the federal property removed from the tax rolls. Federal payments in lieu of taxes are currently less than 25% of the amounts promised. Vote 10-7. Rep. Judith Spang for the Minority of Resources, Recreation and Development. This bill further restricts any property in the state which is sold or donated to the federal government for conservation, forestry or agriculture. RSA 121 already restricts the amount of land that can be owned by the federal government to 2% of the land area of the state and 5% of the assessed value of any individual municipality, excluding lands within the White Mountain National Forest. The amendment expands the scope of the statute by including any expansion of lands in the White Mountain National Forest. The amendment also changes the definition of acquisition to include any easement where the federal government is the primary easement holder. Both the current and a past state Commissioner of Agriculture wrote the committee and expressed their concerns that this legislation, as amended, will severely restrict acceptance of funds from the USDA's Agricultural Conservation Easement Program and easements from the Natural Resource Conservation Service which are instrumental in preserving farmland in the state. By expanding the meaning of acquisition in RSA 121 to include easements and by including land sold or donated to the White Mountain National Forest, federal programs that have benefitted NH and saved the state and municipalities millions of dollars in land conservation will soon come to an abrupt end. Significantly, the Attorney General's office testified that they believe the current statute and this legislation restrict the rights of private landowners to sell their land and could be interpreted as a taking. The minority believes the state does not have the power to interfere with sales of land or easements by private landowners, including to the federal government. The underlying bill is

also ill conceived because it throws major administrative roadblocks into the process of finalizing easements. The Department of Resources and Economic Development said the agency lacks the resources for examining and issuing certificates of compliance before each deed can be recorded. There is no fiscal note to indicate how these costs to the department would be covered. If the issue of federal ownership of interests in NH land is to be addressed, it must be done through a more thorough study of constitutional means of limiting unreasonable impacts to municipalities without so severely affecting the economy and environment of NH.

Majority Amendment (1599h)

Amend the bill by inserting after section 8 the following and renumbering the original sections 9-10 to read as 11-12, respectively:

9 Acquisition Authorized. Amend RSA 121:1 to read as follows:

121:1 Acquisition Authorized. Subject to the provisions of this chapter, consent is given to the acquisition of lands in this state by the United States of America for any public purpose duly authorized by the laws of the United States. For purposes of this chapter, acquisition shall be defined as fee ownership and easements where the federal government is the primary holder of the easement.

10 New Sections; White Mountain National Forest. Amend RSA 121 by inserting after section 6 the following new sections:

121:6-a White Mountain National Forest; Current Holdings Within the Boundaries of the Presidential Proclamation of October 26, 1929. Holdings by the federal government in the White Mountain National Forest within the boundaries established by the proclamation of the President of the United States, dated October 26, 1929, as of the effective date of this section, shall not be counted towards the 2 percent limit of total land area specified in RSA 121:6.

121:6-b White Mountain National Forest; Land Outside the Boundaries of the Presidential Proclamation of October 26, 1929, and Future Acquisitions Within the Boundaries of the Presidential Proclamation of October 26, 1929. Holdings by the federal government in the White Mountain National Forest which are outside the boundaries established by proclamation of the President of the United States, dated October 26, 1929, and all future easements procured and acquisitions made within the boundaries established by the proclamation of the President of the United States, dated October 26, 1929, by the federal government, after the effective date of this section, shall contribute to the 2 percent limit of total land area of the state specified in RSA 121:6.

Rep. Suzanne Smith spoke against and yielded to questions.

Butler, Edward

Rep. McConnell spoke in favor.

Buco, Thomas

On a division vote, with 170 members having voted in the affirmative, and 112 in the negative, the committee amendment was adopted.

MOTION TO LAY ON THE TABLE

Rep. Suzanne Smith moved that SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, be laid on the table. Rep. McConnell requested a roll call; sufficiently seconded.

YEAS 115 NAYS 171

YEAS - 115 CARROLL

Cordelli, Glenn

Ticehurst Susan

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Abbott, Michael	CHESHIRE		
Bordenet, John Mann, John Shepardson, Marjorie	Ames, Richard Eaton, Daniel Parkhurst, Henry Tatro, Bruce	Tilton, Benjamin Roberts, Kris Pearson, William Weber, Lucy	Berch, Paul Ley, Douglas Robertson, Timothy
		COOS	

Froburg, Alethea Hatch, William Moynihan, Wayne Thomas, Yvonne

GRAFTON

	G	RAFTON			
Abel, Richard Ford, Susan Massimilla, Linda Sykes, George	Almy, Susan Higgins, Patricia Nordgren, Sharon Townsend, Charles	Cooney, Mary Hennessey, Martha Piper, Wendy	Hennessey, Erin Maes, Kevin Smith, Suzanne		
	HILL	SBOROUGH			
Baroody, Benjamin DiSilvestro, Linda Gorman, Mary Heath, Mary O'Brien, Michael Brown, Pamela Soucy, Timothy	Roberts, Carol Donovan, Daniel Guerette, C. Lee Jack, Martin Mangipudi, Latha Long, Patrick Smith, Timothy	Cohen, Alan Freitas, Mary Hansberry, Daniel LeBrun, Donald Manley, Jonathan Walsh, Robert Vann, Ivy	Cornell, Patricia Goley, Jeffrey Harvey, Suzanne Leishman, Peter McNamara, Richard Snow, Kendall Woodbury, David		
	ME	RRIMACK			
Bradley, Paula Frazer, June MacKay, James Rogers, Katherine Wallner, Mary Jane	Carson, Clyde Karrick, David Moffett, Howard Saunderson, George Wheeler, Deborah	Doherty, David Kenison, Linda Myler, Mel Schuett, Dianne	Ebel, Karen Luneau, David Ratzki, Mario Shurtleff, Stephen		
ROCKINGHAM					
Berrien, Skip DiFranco, Debbie Lovejoy, Patricia Simpson, Alexis	Cahill, Michael Edgar, Michael McBeath, Rebecca	Cali-Pitts, Jacqueline Ward, Gerald Gordon, Pamela	Cushing, Robert Heffron, Frank Pantelakos, Laura		
	ST	RAFFORD			
Baber, William DiSesa, Len Rollo, Deanna	Bixby, Peter Horrigan, Timothy Spang, Judith	Burton, Wayne Kaen, Naida Treleaven, Susan	Cilley, Jacalyn Schmidt, Peter Wall, Janet		
	S	ULLIVAN			
Cloutier, John Irwin, Virginia	Gagnon, Raymond O'Hearne, Andrew	Gottling, Suzanne Oxenham, Lee	Grenier, James		
	N	NAYS - 171			
	1	BELKNAP			
Aldrich, Glen Flanders, Donald Spanos, Peter	Dumais, Russell Gallagher, Brian Fraser, Valerie	Tilton, Franklin Howard, Raymond	Fields, Dennis Hurt, George		
	(CARROLL			
Avellani, Lino Nelson, Bill	Chandler, Gene Parker, Harold	Comeau, Ed Schmidt, Stephen	McConkey, Mark Umberger, Karen		
	(CHESHIRE			
Emerson, Susan Sterling, Franklin	Hunt, John	McConnell, James	Phillips, Larry		
Richardson, Herbert	Rideout, Leon	COOS Tholl, John			
GRAFTON					
Bailey, Brad Hull, Robert	Darrow, Stephen Ladd, Rick	Johnson, Eric	Gionet, Edmond		

HILLSBOROUGH

Adams, Christopher Ammon, Keith Barry, Richard Biggie, Barbara Coffey, James Byron, Frank Edelblut, Frank Estevez, Eric Gagne, Larry Gargasz, Carolyn Hansen, Peter Goulette, William Infantine, William Belanger, James Lachance, Joseph McLean, Mark Ohm, Bill Notter, Jeanine Pierce, David Proulx, Mark Sanborn, Laurie Rowe, Robert Shaw, Barbara Simmons, Tammy Takesian, Charlene Twombly, Timothy Wolf, Terry

Griffin, Barbara
Boehm, Ralph
Danielson, David
Ferreira, Elizabeth
Gidge, Kenneth
Hinch, Richard
Rice, Kimberly
Murotake, David
Parison, James
Christie, Rick
Scontsas, Lisa
Souza, Kathleen
Ulery, Jordan

Balcom, John
Burt, John
Eastman, Eric
Flanagan, Jack
Gould, Linda
Hogan, Edith
Christiansen, Lars
Murphy, Keith
Pellegrino, Anthony
Rouillard, Claire
Seidel, Carl
Straight, Phillip
Sullivan, Victoria

MERRIMACK

Brewster, Michael Deloge, Helen Kotowski, Frank Seaworth, Brian McGuire, Carol Hill, Gregory Kuch, Bill Walsh, Thomas Long, Douglas Hoell, J.R. Marple, Richard McGuire, Dan Horn, Werner Martin, John

ROCKINGHAM

Christie, Andrew
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Rice, Frederick
Guthrie, Joseph
Hoelzel, Kathleen
Ward, Joanne
Major, Norman
Milz, David
Packard, Sherman
Schroadter, Adam
Vose, Michael

Abrami, Patrick Bates, David Dean-Bailey, Yvonne Elliott, Robert Fesh, Robert Hagan, Joseph Introne, Robert Kappler, Lawrence Manning, John Nigrello, Robert Potucek, John Spillane, James Welch, David Abramson, Max Cardon, G. Thomas Devine, James Emerick, J. Tracy Gannon, William Harris, Jeffrey Itse, Daniel Kolodziej, Walter Matthews, Carolyn O'Connor, John Gordon, Richard Sytek, John Weyler, Kenneth

Baldasaro, Alfred Cook, Allen Doucette, Fred Chase, Francis Green, Dennis Hodgdon, Bruce Sweeney, Joe Griffin, Mary McMahon, Charles Osborne, Jason Tilton, Rio True, Chris

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Pitre, Joseph Wuelper, Kurt Bickford, David Groen, Warren Knowles, Robert Sprague, Dale

Cheney, Catherine Hannon, Joseph Turcotte, Leonard Verschueren, James Graham, Robert Jones, Laura Leeman, Don Whitehouse, Joshua

SULLIVAN

Converse, Larry and the motion failed.

Laware, Thomas Rollins, Skip Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 173 members having voted in the affirmative, and 111 in the negative, the committee report was adopted and ordered to third reading.

SB 381, relative to the combustion of the wood component of construction and demolition debris. MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill enhances renewable energy electricity generation by allowing waste-to-energy plants to operate during the winter. Cold weather reduces the collection of municipal refuse, and snow and ice make such waste fuel supplies wet

and harder to burn. The bill allows adding recovered clean wood to the fuel mix to drive off moisture and to create the higher burn temperatures that allow the efficient operation of emissions capture and reduction technologies, leading to greater wintertime electricity production. The bill further permits the recovery of such clean wood from construction and demolition (C&D) debris. The bill sets limits on this fuel additive by allowing its use only between November 15 and April 15 and in quantities of no more than 10,000 tons per year. The bill further requires that such recovered clean wood fuel must meet the standards described in the Environmental Protection Agency's Non-Hazardous Secondary Materials Rule. This bill will: (1) increase the generation of electricity from renewable waste fuels; (2) reduce the burying of waste in landfills; (3) result in an estimated reduction of 850 tons per year of greenhouse gas emissions by avoiding the burning of 75,000 gallons of diesel fuel to transport 430 truckloads of cleaned C&D wood waste to Quebec (340,000 round trip miles); and (4) guarantee good paying jobs in our state. The Department of Environmental Services testified that it saw no significant environmental impacts from this legislation. Vote 11-8.

Rep. Robert Backus for the Minority of Science, Technology and Energy. This bill would open the door for limited combustion at the Wheelabrator waste-to-energy facility in Concord of supposedly clean construction and demolition (C&D) debris. In 2008, the burning of C&D waste was made illegal in NH, a policy that has served the state well for almost a decade. The minority has many concerns with re-opening the door to again allow burning of this material. First, the bill sponsor admitted that although the amounts involved are small, and burning is limited to only certain months of the year, that "we have to start small." This suggests that this limited burn authorization is, as the phrase goes, the nose of the camel getting under the tent. Second, there is no verification that the wood debris is in fact truly clean. The wood contains grit (which renders it unsuitable for burning as pellet fuel) and, unlike virgin wood, may contain residues of toxic chemicals. Burning does not eliminate any hazardous waste, since the potentially harmful material either goes up the stack or ends up in the ash that has to be contained. Third, there was no demonstrated need for this law to permit either the recycler, Re-Energy (a C&D processor), or Wheelabrator to continue doing business. Re-Energy has existing markets for its recycled wood products and Wheelabrator operates by burning municipal waste, occasionally supplemented by natural gas. Finally, although the proponents pointed to a recent Environmental Protection Agency regulation on best practices to handle recycled materials, there is no objective standards or limits on what is acceptable for incineration.

The question being adoption of the majority committee report of Ought to Pass. Rep. Baber offered floor amendment (1908h).

Floor Amendment (1908h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the use of certain construction and demolition debris as fuel.

Amend the bill by replacing all after the enacting clause with the following:

- 1 Committee Established. There is established a committee to study the possibility of using the combustion of the wood component of construction and demolition debris as a fuel in waste-to-energy incinerators in a manner that meets current or proposed nationally recognized environmental standards.
 - 2 Membership and Compensation.
 - I. The members of the committee shall be as follows:
- (a) Five members of the science, technology and energy committee from the house of representatives, appointed by the speaker of the house of representatives.
 - (b) Two members of the senate, appointed by the president of the senate.
- II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
 - 3 Duties. The committee shall:
- I. Determine if the combustion of the wood component of construction and demolition debris for use as a fuel in waste-to-energy incinerators can be done in a manner that meets current or proposed nationally recognized environmental standards. Such determination shall include the identification of processes and methods to ensure that the fuel, as delivered to the incineration facility, meets such standards.
- II. Review both the direct and indirect effects due to combustion, both positive and negative, which may occur during handling, transportation, and disposal of construction waste.

III. Consider the economic effects the availability of such fuel may have on electric rates and on alternative local biofuel sources.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study the use of certain construction and demolition debris as fuel. Rep. Baber spoke in favor.

Rep. Vose spoke against and yielded to questions.

On a division vote, with 115 members having voted in the affirmative, and 169 in the negative, floor amendment (1908h) failed.

MOTION TO LAY ON THE TABLE

Rep. Baber moved that **SB 381**, relative to the combustion of the wood component of construction and demolition debris, be laid on the table.

Motion failed.

The question now being adoption of the majority committee report of Ought to Pass. Majority committee report adopted and ordered to third reading.

SB 547, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Robert Theberge for the Majority of State-Federal Relations and Veterans Affairs. This bill establishes a commission to study if current force protection measures provide adequate safeguards for New Hampshire National Guard personnel, facilities, and equipment, unlike a previous bill (HB 1288) which focused solely on the National Guard's input to address the force protection policy. This bill includes the Department of Safety, Division of Homeland Security and Emergency Management on assessments and recommendations. The Deputy Adjutant General testified on behalf of the Adjutant General who advocated that this bill is much preferred. This bill goes beyond just personnel issues but looks at equipment and overall facilities. Vote 9-7.

Rep. Kris Roberts for the Minority of State-Federal Relations and Veterans Affairs. The minority feels that this bill is unnecessary because the Adjutant General already has an updated force protection plan which is reviewed as necessary. Furthermore much of the information will be classified.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Baldasaro spoke against.

Majority committee report failed.

Rep. Baldasaro moved the minority committee report of Inexpedient to Legislate.

Minority committee report adopted.

SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kris Roberts for the Majority of State-Federal Relations and Veterans Affairs. This senate concurrent resolution requests that the United States Congress convene a convention to propose amendments to the US Constitution for the exclusive purpose of election reform that does not abrogate or amend the First Amendment to the US Constitution. The majority of the committee believes that the people of New Hampshire cherish the First Amendment, the right of free speech. However, they are very concerned about the enormous amount of money in politics. They are very concerned about the impact of the Citizens United decision which will result in about \$80 million being spent

on the 2016 New Hampshire Senate race. Most of that money will come from out-of-state political action committees. This resolution calls for an Article V convention, which under the constitution says the states have the right to propose amendments to the constitution. This call for an Article V convention is very limited in scope and addresses the need for election reform without abrogating or amending the First Amendment of the United States Constitution. The people of New Hampshire understand the importance of having fair and open elections. We understand elections should be based on qualifications, not the ability to raise unlimited campaign funds. The goal of this resolution is to have an Article V convention to agree on election reform amendments. Any amendments must be ratified by the legislatures in at least 38 states in order to restore American's faith in the election process. The majority of the committee believes the chance of a "runaway convention" has far less risk to the people of New Hampshire than the fear of inaction. Vote 10-6.

Rep. Alfred Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes this resolution seeks to circumvent or repeal the United States Supreme Court's opinion in Citizen's United v. Federal Election Commission. The majority is seeking to permit the federal government to restrict political speech and campaign contributions by corporations. The federal government does not now have the constitutional authority over the country at large to restrict any form of speech, to restrict campaign contributions or tell someone that they can't donate their own money. The majority wants the federal government through a constitutional convention to have the power to limit or restrict certain groups for political speech.

MOTION TO LAY ON THE TABLE

Rep. Ulery moved that SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be laid on the table.

On a division vote, with 148 members having voted in the affirmative, and 129 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kris Roberts for the Majority of State-Federal Relations and Veterans Affairs, The majority of the committee believes that it is extremely important to tell Congress that the people of New Hampshire are very concerned about the financial future of our country. Despite our concerns Congress has repeatedly failed to listen. Under the United States Constitution, the states have the right to call an Article V convention to propose amendments to the constitution. This resolution is New Hampshire's call for such a convention. There are many people who are afraid that such a convention would become a runaway convention that would strip us of our current rights such as the 1st, 2nd and 5th amendments. Despite that fear, many people fail to realize that any proposed amendment must be approved by at least 38 states. There is no way that the American people would support changing any amendment to the Bill of Rights. There are also other protective rules concerning any Article V convention, to include Article V convention decisions such as Baker vs Carr (1964). A comprehensive U.S. Department of Justice report in 1987 stated that an Article V convention option was sound and controllable. U.S. Supreme Court Justice Joseph Story stated, "The great principle to be sought is to make the changes practicable, but not too easy; to secure due deliberation, and caution; and to follow experience, rather than to open a way for experiments, suggested by mere speculation or theory." At its discretion, Congress may provide for consideration of such amendment either by state legislatures or ad hoc state ratification conventions. According to the Congressional Research Service there have been over 1,500 requests for Article V Conventions. The real strength of calls for Article V Conventions is that they force Congress to act. In 1985, the 99th Congress passed the Gramm-Rudman-Hollings Balanced Budget and Emergency Deficit Control Act (GRH), claiming that this legislation would serve the same purpose as an Article V convention with less risk. Concerns about a runaway convention and hopes that the 1985 passage of the Gramm-Rudman-Hollings Act would lead to a balanced federal budget have been credited with forestalling additional state applications for a convention. The calls for Article V conventions have resulted in the passage of 17th, 19th and 21st amendments. There are those who feel that the U.S. Constitution is certainly one of the most venerable, elegant and comprehensive framing documents in the history of western civilization, if not human history itself. In fact, many servants of the common good voluntarily take binding oaths to defend, uphold and protect it. This is true of everyone who serves the people of New Hampshire in the General Court. Vote 11-5.

Rep. Alfred Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that this resolution requesting an Article V Constitutional convention for fiscal constraints is a game of words that leaves the door open to many change recommendations to the constitution. New Hampshire is already on record in Washington D.C. in favor of an Article V convention for a balanced budget amendment. This is a duplication of what this legislature already passed in 2011 which has already been filed in Washington D.C.

MOTION TO LAY ON THE TABLE

Rep. Ulery moved that SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government, be laid on the table.

On a division vote, with 227 members having voted in the affirmative, and 57 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 471-FN, relative to parking for persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.** Rep. Steven Smith for Transportation. This bill clarifies signage requirements for parking for persons with walking disabilities. It establishes that a portion of state fines be remitted to towns and municipalities. The bill also makes technical changes to New Hampshire statutes to ensure compliance with the ADA. The committee amendment changes the suggestion of one "van only" parking space out of five, to a requirement. Vote 15-0.

Amendment (1562h)

Amend the bill by replacing section 4 with the following:

4 Parking Signs. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space. Van-accessible spaces shall be allocated according to the requirements of the Americans with Disabilities Act of 1990 and regulations and guidelines promulgated pursuant thereto. There shall be one "van only" parking space for every 5 spaces which are reserved for persons who are disabled. Failure to comply with the sign placement requirements of this section shall subject the property owner to a \$250 fine, provided that the owner shall not be fined more than once in any 120-day period for the same violation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 478-FN, permitting the online renewal of a nondriver's picture identification card. OUGHT TO PASS. Rep. Werner Horn for Transportation. This bill allows the online renewal of nondriver picture identification cards, bringing them into line with other state issued IDs. Holders of a nondriver's identification often have transportation issues that would be mitigated by having this option available to them. Vote 15-0. Committee report adopted and ordered to third reading.

SB 550-FN, relative to the maximum gross weight for dump trailers. OUGHT TO PASS.

Rep. Michael Abbott for Transportation. The intent of this legislation is to bring weight and axle configuration into accordance with surrounding states and federal standards. It establishes a maximum weight requirement for a combination of truck-tractor and dump trailer, eliminating restrictions which put trucking concerns at a disadvantage. Vote 15-0.

Committee report adopted and ordered to third reading.

SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Patrick Abrami for the Majority of Ways and Means. The full House agreed with the policy committee, Executive Departments and Administration, and voted to establish a statute which calls

for the regulation of septic system evaluators. The Ways and Means Committee was asked to review the fees associated with licensing septic system evaluators. These fees would cover the associated board and staff costs using the standard approach which calls for fees being sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they apply. This was acceptable to the committee; however, an amendment was added with four changes. First, until initial expenses become known, the fee for an initial application or a renewal of a license shall not exceed \$150 for a two-year license. The second change was designed to keep the fees down by eliminating the provision that members of the board shall receive \$25 for each day actually engaged in the duties of their office. Traditionally these small boards do not have paid board members. The third change clarified the language to ensure that those eligible for licensure under RSA 310-A: 210, II, III, or IV would be able to practice during the transition period. The final change was the elimination of the reference to subparagraph I(d) which the policy committee had eliminated in their amendment, but had neglected to delete the reference to this subparagraph. Vote 16-2.

Rep. Bill Ohm for the Minority of Ways and Means. This bill, while presented as a consumer protection bill, will likely create a new fee for homeowners upon sale of their home. This fee is for septic inspection by members licensed by a new board. Even as amended, there are multiple cost and fee issues present requiring further study.

Majority Amendment (1620h)

Amend RSA 310-A:206, VI as inserted by section 2 of the bill by replacing it with the following:

VI. Members of the board shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.

Amend RSA 310-A:208 and 209 as inserted by section 2 of the bill by replacing them with the following:

- 310-A:208 Fees. The board shall adopt rules, under RSA 541-A, to establish fees required under this subdivision, which shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they will apply, including the following:
 - I. Application for licensure, the fee for which shall not exceed \$150 for the initial 2-year license.
 - II. Renewal for license holders, the fee for which shall not exceed \$150 for the 2-year renewal.
 - III. Late fees for a late renewal of a license.
 - IV. Replacement of a lost or mutilated license.
 - V. Transcribing and transferring records and other services.
 - VI. Reinstatement fees.
 - VII. Other fees or fines deemed necessary by the board.
 - 310-A:209 License Required.
- I. Beginning January 1, 2017, no person shall practice as a septic system evaluator or conduct septic system evaluations in this state without a septic system evaluator's license issued by the board under this subdivision, unless the person is eligible for licensure under RSA 310-A:210, II, III, or IV.
- II. Beginning January 1, 2018, a person eligible for licensure under RSA 310-A:210, II, III, or IV may continue to practice as a septic system evaluator or conduct septic system evaluations in this state only if such person holds a septic system evaluator's license issued by the board under this subdivision.

Amend RSA 310-A:210, V as inserted by section 2 of the bill by replacing it with the following:

V. All applicants shall meet the requirement of subparagraph I(c), pay an initial fee, and fulfill all other license application requirements.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Eastman requested a roll call; sufficiently seconded.

YEAS 158 NAYS 128

YEAS - 158 BELKNAP

Fields, Dennis

CARROLL

McConkey, Mark Chandler, Gene Buco, Thomas Butler, Edward Umberger, Karen Ticehurst, Susan Parker, Harold Schmidt, Stephen CHESHIRE Tilton, Benjamin Berch, Paul Abbott, Michael Ames, Richard Emerson, Susan Ley, Douglas Bordenet, John Eaton, Daniel Pearson, William Phillips, Larry Parkhurst, Henry Mann, John Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Robertson, Timothy Weber, Lucy COOS Tholl, John Richardson, Herbert Froburg, Alethea Moynihan, Wayne Thomas, Yvonne GRAFTON Cooney, Mary Ford, Susan Abel, Richard Almy, Susan Ladd, Rick Hennessey, Martha Maes, Kevin Higgins, Patricia Smith, Suzanne Piper, Wendy Massimilla, Linda Nordgren, Sharon Townsend, Charles Sykes, George HILLSBOROUGH Roberts, Carol Cohen, Alan Cornell, Patricia Barry, Richard Gargasz, Carolyn Gagne, Larry Donovan, Daniel Freitas, Marv Guerette, C. Lee Gorman, Mary Gidge, Kenneth Goley, Jeffrey Heath, Mary Hinch, Richard Harvey, Suzanne Hansberry, Daniel O'Brien, Michael Infantine, William Jack, Martin Leishman, Peter McNamara, Richard Brown, Pamela Manley, Jonathan Mangipudi, Latha Proulx, Mark Walsh, Robert Pellegrino, Anthony Long, Patrick Smith, Timothy Snow, Kendall Soucy, Timothy Straight, Phillip Wolf, Terry Woodbury, David Vann, Ivv MERRIMACK Deloge, Helen Doherty, David Carson, Clyde Bradley, Paula Karrick, David Kenison, Linda Frazer, June Ebel, Karen Moffett, Howard MacKay, James Kotowski, Frank Luneau, David Saunderson, George Ratzki, Mario Rogers, Katherine Myler, Mel Walsh, Thomas Wallner, Mary Jane Shurtleff, Stephen Schuett, Dianne Wheeler, Deborah ROCKINGHAM Abrami, Patrick Berrien, Skip Cahill, Michael Christie. Andrew Cushing, Robert Devine, James Cardon, G. Thomas Cali-Pitts, Jacqueline Elliott, Robert Rice, Frederick Edgar, Michael DiFranco, Debbie Fesh, Robert Ward, Gerald Guthrie, Joseph Hagan, Joseph Griffin, Mary Hoelzel, Kathleen Lovejoy, Patricia Heffron, Frank McBeath, Rebecca Milz. David Manning, John Major, Norman Packard, Sherman Pantelakos, Laura Nigrello, Robert Gordon, Pamela Welch, David Tilton, Rio Simpson, Alexis Sytek, John Weyler, Kenneth STRAFFORD Cilley, Jacalyn Burton, Wayne Baber, William Bixby, Peter Horrigan, Timothy Kaen, Naida Gray, James DiSesa, Len Rollo, Deanna Spang, Judith Schmidt, Peter Smith, Marjorie Wall, Janet Verschueren, James Treleaven, Susan **SULLIVAN** Gagnon, Raymond Gottling, Suzanne Converse, Larry Cloutier, John O'Hearne, Andrew Oxenham, Lee

Irwin, Virginia

Grenier, James

NAYS - 128 BELKNAP

Aldrich, Glen Dumais, Russell Howard, Raymond Hurt, George

Tilton, Franklin Spanos, Peter

Gallagher, Brian Fraser, Valerie

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn

Nelson, Bill

Hunt, John McConnell, James

COOS

CHESHIRE

Rideout, Leon

GRAFTON

Bailey, Brad Gionet, Edmond Darrow, Stephen Hull, Robert

Hennessey, Erin

Johnson, Eric

HILLSBOROUGH

Adams, Christopher Biggie, Barbara Byron, Frank Eastman, Eric Ferreira, Elizabeth Hansen, Peter Christiansen, Lars Murotake, David Parison, James Rowe, Robert Shaw, Barbara Twombly, Timothy

Griffin, Barbara Boehm, Raiph Coffey, James Edelblut, Frank Flanagan, Jack Hogan, Edith Lachance, Joseph Murphy, Keith Pierce, David Sanborn, Laurie Simmons, Tammy Ulery, Jordan

Balcom, John Bouldin, Amanda Danielson, David Edwards, Elizabeth Gould, Linda Belanger, James LeBrun, Donald Notter, Jeanine Christie, Rick Scontsas, Lisa Souza, Kathleen Sullivan, Victoria

Baroody, Benjamin Burt, John DiSilvestro, Linda Estevez, Eric Goulette, William Rice, Kimberly McLean, Mark Ohm, Bill Rouillard, Claire Seidel, Carl Takesian, Charlene

MERRIMACK

Brewster, Michael Hill, Gregory Marple, Richard

McGuire, Carol Hoell, J.R. Martin, John

Baldasaro, Alfred

Thomas, Douglas

Long, Douglas Horn, Werner Seaworth, Brian

McGuire, Dan Kuch, Bill

ROCKINGHAM

Abramson, Max Cook, Allen Duarte, Joe Green, Dennis Itse, Daniel

Emerick, J. Tracv Harris, Jeffrey Sweeney, Joe Kolodziej, Walter Matthews, Carolyn Osborne, Jason Potucek, John Spillane, James True, Chris

Barnes, Arthur Dean-Bailey, Yvonne Chase, Francis Hodgdon, Bruce Ward, Joanne McMahon, Charles

Bates, David Doucette, Fred Gannon, William Introne, Robert Kappler, Lawrence O'Connor, John Schroadter, Adam

STRAFFORD

Beaudoin, Steven Groen, Warren Knowles, Robert Sprague, Dale

Bickford, David Hannon, Joseph Turcotte, Leonard Whitehouse, Joshua

Cheney, Catherine Jones, Laura Leeman, Don Wuelper, Kurt

Gordon, Richard

Vose, Michael

Graham, Robert Kaczynski, Thomas Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith. Steven

and the majority committee report was adopted and ordered to third reading.

SB 441-FN, relative to discounts and admission without charge at state parks. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.

Rep. Mary Cooney for the Majority of Ways and Means. This bill was passed by the House modifying free admission for seniors over the age of 65 for state parks and other areas. The majority of the committee felt that allowing the state to charge seniors over the age of 65 to ski at Cannon Mountain on weekdays was not in keeping with the general policy of giving seniors free access to NH parks. The amendment retains the existing free access on weekdays for seniors, which reduces Cannon's revenue by up to \$81,000 but still grows total revenue for the park system by up to \$84,000. The estimated revenue loss was made on the assumption that all seniors currently using Cannon Mountain summer and winter would continue to do so. It does not account for the fact that some wouldn't come at all. Other reasons to continue free weekday access were that grandparents do bring grandchildren, some only come for a few runs and they also patronize other venues like food service. The argument that NH is aging and therefore will cost the state more revenue in the future is not compelling enough at this point in time to impose this fee. In addition, the bill and amendment stipulate that seniors may be charged up to 2/3 of the usual fee for the use of "uphill devices" on weekends and holidays. Lastly, the bill and amendment eliminate the hard to manage coupon books. Perception is reality and the willingness of the state to provide NH seniors with free weekday skiing is part of the brand of the New Hampshire advantage. Vote 15-3.

Rep. Susan Almy for the Minority of Ways and Means. The policy committee (Resources, Recreation and Development) agreed with the State Park System Advisory Council and the Department of Resources and Economic Development that because the state's population is rapidly aging, the self-funded park system will be forced to raise fees on young families and working age adults if the senior population's park discounts are not adjusted downward. The Ways and Means Committee amendment reverses this policy by further increasing senior discounts. The effect over the next decades will be to further damage our state's ability to attract and retain working-age adults, either because our parks have further deteriorated or because park use is unaffordable to them. Many of our seniors have moved into the state as retirees and more seniors than under 40's can well afford to pay the full rate, much less the discounted bargain of up to 1/3 for weekdays and 2/3 fee for weekends approved by the policy committee.

Majority Amendment (1619h)

Amend RSA 218:5-c as inserted by section 1 of the bill by replacing it with the following:

218:5-c Admission Without Charge; Residents 65 Years of Age and Older. Any person who is a resident of this state and who has attained the age of 65 shall, upon proper identification, be admitted to any state recreation area, including but not limited to parks, historical sites, beaches, and state-operated ski areas, without charge except on weekends and holidays. Persons qualifying under this section shall be allowed to use any state owned facility within the recreation area without charge for the use of the facility, except those facilities operated by third parties. Persons qualifying under this section [shall] may be charged up to 2/3 of the usual fee for the use of so-called "uphill devices" on [Saturdays and Sundays] weekends and holidays. Provided further that other special charges at state owned recreation areas, such as fees charged for parking at parking meters, shall be charged persons qualifying under this section at the usual rates. The foregoing provisions of this section shall not apply to state owned campsites or camping areas or state-owned ski areas operated by a lessee. Additional discounts or admission without charge for persons qualifying under this section may be provided in accordance with RSA 216-A:3-g.

Rep. Frederick Rice spoke against.

Rep. Cooney spoke in favor.

On a division vote, with 191 members having voted in the affirmative, and 96 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Horrigan spoke against.

Rep. Bailey spoke in favor.

Rep. Proulx requested a roll call; not sufficiently seconded.

Majority committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 536, relative to emergency interim relief under the child protection act. OUGHT TO PASS. Rep. Skip Berrien for Children and Family Law. This bill permits the Division of Children, Youth and Families to remove a child at risk of harm with a telephone request to the court for an ex parte order. This bill requires written affidavits to be submitted to the court on the next business day. Vote 13-0. Rep. Brewster spoke against.

Committee report adopted and ordered to third reading.

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. OUGHT TO PASS.

Rep. Skip Berrien for Children and Family Law. This bill applies to police taking custody of a child in imminent danger and the court ordering continuation of such custody. At present, the police have 24 hours to appear in court following the order. This bill extends the court appearance to within 48 hours which permits police to work with the Division of Children, Youth and Families to present a fuller understanding of the immediate protective needs. This bill also extends the repeal date of the Commission to Review Child Abuse Fatalities to June 30, 2017. Vote 14-0.

Rep. Brewster spoke against.

Committee report adopted and ordered to third reading.

SB 305, including fermented pear juice in the definition of cider. INEXPEDIENT TO LEGISLATE. Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill was designed to include pear juice in the definition of "cider" in RSA 175:1. The definition of "beverage" in the same section of the Liquor Laws includes "any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit." Since pear juice is a fruit juice, it is already covered and this bill is unnecessary. Vote 20-0. Rep. Hunt spoke against.

Committee report failed.

Rep. Hunt moved Ought to Pass and offered floor amendment (1916h).

Floor Amendment (1916h\)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the brew pub license.

Amend the bill by replacing all after the enacting clause with the following:

1 Definitions; Brew Pub. Amend RSA 175:1, XII-a to read as follows:

XII-a. "Brew pub" means a manufacturer of beer, [or] specialty beer, or cider not exceeding 2,500 barrels annually, which as a functional part of its business, maintains a full service restaurant serving the beer it manufactures as well as other beverage and liquor as allowed by RSA 178:21, II(a)(1) and RSA 178:22, V(q).

2 Brew Pub License. Amend RSA 178:13, I-II to read as follows:

I. A brew pub license shall authorize the licensee to manufacture beer *or cider* in quantities not to exceed 2,500 barrels annually primarily for consumption on the licensed premises.

II. A brew pub licensee may sell beer *or cider* manufactured on the premises or manufactured by the licensee at a host brewer facility to individuals for on-premises and off-premises consumption and to New Hampshire licensed retailers and wholesalers. A brew pub shall maintain a full service restaurant and may subsequently serve beverage and liquor as permitted by RSA 178:21, II(a)(1), RSA 178:22, V(e)(2), and RSA 178:22, V(q).

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill authorizes brew pubs to manufacture alcoholic cider.

Rep. Hunt spoke in favor.

Floor amendment (1916h) adopted.

Motion of Ought to Pass with Amendment adopted and ordered to third reading.

SB 403, relative to the sale of gift certificates with expiration dates. OUGHT TO PASS WITH AMENDMENT.

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill makes modifications to the Consumer Protection Act, which prohibits issuing gift certificates with expiration dates. The bill

raised the amount where a gift certificate must eventually be escheated to the state as abandoned property from \$100 to \$250. Gift certificates under that value never expire. The committee agreed with that change, but also changed the definition of gift certificates from written promises to a broader definition, which includes 21st-century technology like gift cards and e-certificates. We also included store credits for returned merchandise in that definition. The committee rejected language from the original bill that exempted prepaid telephone cards from the definition of gift certificates. The committee believes that prepaid calling cards are the purchase of a product, not a stored value for a future purchase, and therefore are not a gift certificate, so such an exemption was unnecessary. Vote 20-0.

Amendment (1753h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the regulation of gift certificates under the consumer protection act.

Amend the bill by replacing all after section 1 with the following:

2 Definition of Gift Certificate. RSA 358-A:1, IV-a is repealed and reenacted to read as follows: IV-a. "Gift certificate" means a record evidencing a promise, made for consideration, by the seller or issuer of the record that goods or services will be provided to the holder of the record at a future date, including promises issued in exchange for returned merchandise.

3 Custody and Escheat of Unclaimed and Abandoned Property; Gift Certificates and Store Credits. Amend RSA 471-C:16 to read as follows:

471-C:16 Gift Certificates and Store Credits. Notwithstanding any law to the contrary, gift certificates and store credits, of [\$100] \$250 or less, [and store credits that were issued for store merchandise credit, regardless of when issued,] shall not be property presumed abandoned and shall not be subject to RSA 471-C or any other past or present law. All gift certificates and store credits remitted to the state prior to January 1, 1998, and gift certificates and store credits that are properly determined to be reportable in any compliance audits initiated prior to January 1, 1998 and subsequently remitted, shall remain in the custody of the state unless and until returned to the owner. This section shall not apply to season passes or coupons that are nonrefundable and nonredeemable.

4 Effective Date. This act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill provides that a gift certificate or store credit with a face value of \$250 or less shall not include an expiration date. The bill also revises the definition of gift certificate to include a credit for exchanged merchandise.

Rep. Hunt spoke against.

Committee amendment failed.

Motion of Ought to Pass adopted and ordered to third reading.

SB 458-FN, relative to reporting by political committees. OUGHT TO PASS.

Rep. Kathleen Hoelzel for Election Law. Presently there can be an 18 to 20-month gap before a political committee must report receipts and expenditures. This bill adds new reporting dates for political committees in June and December after the state General Election. These reports will be required for all political committees whose receipts and expenditures exceed \$500. Vote 17-0. Rep. Hoelzel offered floor amendment (1854h).

Floor Amendment (1854h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to reporting by political committees and relative to reports of death of voters. Amend the bill by replacing all after section 1 with the following:

2 New Paragraphs; Registrar of Vital Records; Duties. Amend RSA 5-C:4 by inserting after

paragraph III the following new paragraphs:

IV. The secretary of state shall compare information contained on each death record received by the division of vital records with information contained in the statewide centralized voter registration database and submit to the state registrar a list of every city or town that has a registered voter matching the decedent's information.

V. Upon receipt of a death record, the state registrar shall transmit notice of the death to the clerk of the city or town of residence of the decedent and to each city or town listed by the secretary of state for the decedent pursuant to paragraph IV.

3 Checklists; Reports of Death. Amend RSA 654:37 to read as follows:

654:37 Reports of Death. Whenever there is filed in the office of the clerk an official notice of the death of any person or persons of the age of 18 years or over or the clerk receives notice of a death record of such person or persons under RSA 5-C:4, V, the town or city clerk shall notify the supervisors of the checklist of said deaths by submitting a notice of same to the supervisors at their next regular meeting. Upon receipt of such notice, the supervisors shall examine the checklist; and, if the name of said deceased person appears thereon, it shall be removed. The notice shall be retained in accordance with RSA 33-A:3-a. Any supervisor who shall neglect or refuse to erase the name of such deceased voter from the checklist after receiving such notice from the town or city clerk shall be guilty of a violation.

4 Effective Date.

I. Sections 2-3 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect January 1, 2017.

AMENDED ANALYSIS

This bill requires political committees to file itemized statements earlier than is required under current law. This bill also requires the state registrar to notify the city or town clerk upon receipt of a death record and requires the supervisors of the checklist to remove the name from the checklist. Rep. Hoelzel spoke in favor.

Floor amendment (1854h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Schroadter offered floor amendment (1858h).

Floor Amendment (1858h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to reporting by political committees and relative to agreements to share voter information with other states.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Centralized Voter Registration Database; Agreements to Share Voter Information or Data with Other States. Amend RSA 654:45 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

3 Effective Date.

I. Section 1 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect 10 days after its passage.

AMENDED ANALYSIS

This bill requires political committees to file itemized statements earlier than is required under current law. This bill also authorizes the secretary of state to enter into an agreement to share voter information and data with other states or groups of states.

Reps. Schroadter and Hoelzel spoke in favor.

Rep. Pearson spoke against.

Floor amendment (1858h) adopted.

Committee report adopted and ordered to third reading.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. OUGHT TO PASS WITH AMENDMENT.

Rep. Daniel Eaton for Finance. Due to some inheritance problems seen by the Senate, this bill adds further definitions to the language on the survivors' benefit of \$100,000 that the state pays on death in the line of duty for police and fire personnel. It recognizes that there are circumstances where

a dependent may be older than 18 or 25 and still be dependent. There are also complications from families with adopted children, and spouses who predecease the fire fighter or police officer. A previous House amendment added "stepchild" to the bill. But the committee learned that the impetus for that change came from one individual. The committee felt that "stepchild" status would be subject to court interpretation, and that including "stepchild" in this bill would lead to undue complications. Thus the amendment removes the "stepchild" language. Vote 26-0.

Amendment (1812h)

Amend the introductory paragraph of RSA 21-I:29-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Dependent child" means a child, whether by blood or adoption, of the police officer

or firefighter who:

Amend RSA 21-I:29-a, I as inserted by section 1 of the bill by deleting subparagraph (g).

Rep. Proulx spoke against and yielded to questions.

Rep. Eaton spoke in favor.

Rep. Horrigan requested a roll call; not sufficiently seconded.

On a division vote, with 167 members having voted in the affirmative, and 113 in the negative, the committee amendment was adopted.

Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, May 19, 2016 at 10:00 a.m.

LATE SESSION

Third Reading and Final Passage

SB 480-FN-A, relative to the historical fund.

SB 437, establishing a commission to address child hunger in New Hampshire.

SB 539, relative to access to records under the child protection act.

SB 300, revising banking, credit union, and trust laws.

SB 301, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

SB 306, enabling the sampling of beer or wine at farmers' markets.

SB 308, relative to the definition of small loans and relative to certain fees on small loans.

SB 401-FN, relative to insurance coverage for prescription eye drops.

SB 405, making changes to the limited liability companies statutes.

SB 417, relative to employment contract restrictions upon physicians.

SB 431, relative to data submission by insurers.

SB 379, relative to additional tests to determine alcohol concentration.

SB 391, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

SB 394, relative to criminal history record checks of nursing home administrators.

SB 544, establishing a committee to study funding options for the Internet crimes against children task force.

SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

SB 329, revising the nurse licensure compact.

SB 424-FN, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.

SB 489, authorizing a demonstration project using a Stirling engine system.

SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

SB 420-FN, relative to aid to the permanently and totally disabled.

SB 444-FN, relative to lottery retailer incentive awards.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants.

SB 496-FN, relative to personal care attendant services.

SB 500-FN, relative to student health insurance plans.

SB 384, relative to the feeding of wild deer.

SB 127-FN, relative to the appointment of special Medicaid representatives.

SB 361, banning the sale and possession of synthetic urine and urine additives.

SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis.

SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services.

SB 477-FN, relative to nonemergency involuntary admissions.

SB 487, relative to missing vulnerable adults.

SB 512, relative to health care associated infections.

SB 530-FN, establishing a commission to study volunteer health care services.

SB 553, relative to implementation of the Medicaid managed care program.

SB 402, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

SB 449, relative to weekly payment of workers' compensation benefits.

SB 418, adding National Guard members to the absentee voting laws and relative to enrollment of laws.

SB 438, relative to the aesthetic maintenance of highways.

SB 549-FN, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.

SB 363, relative to OHRVs and snowmobiles held by a trust.

SB 383, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.

SB 436, relative to after market automobile parts.

SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

SB 342-FN, relative to the sale or exchange of an interest in a business organization under the business profits tax.

SB 440-FN, extending the date of the repeal of certain fees in the shoreland protection act.

SB 494-FN-A, limiting an exemption from the road toll.

SB 510-FN, relative to parking at state park parking meters.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

SB 411, relative to the merger of lots.

SB 532-FN, relative to prior authorization for substance use treatment.

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.

SB 339-FN, relative to required DNA analysis for certain offenses.

SB 498-FN, relative to penalties for possession of certain controlled drugs.

SB 483-FN, establishing the position of chartered public school program officer in the department of education.

SB 4, relative to eligibility to vote and relative to availability of voter information.

SB 423, relating to the right of 17-year olds to register to vote.

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions.

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment.

SB 406-FN, relative to classification of certain state employee positions and relative to the liquor commission.

SB 464-FN-A, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.

SB 466-FN, relative to the detention of youthful offenders at the youth development center.

SB 481-FN, relative to a special health care service license and making an appropriation therefor.

SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

SB 495-FN-A, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

SB 515-FN, relative to the child protection act.

SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

SB 527-FN-A, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

SB 376-FN, relative to wildlife corridors.

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

SB 534-FN, to implement a system of care for children's behavioral health.

SB 387, relative to the disposition of ward accounts.

SB 416, relative to flexible working arrangements in employment.

SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.

SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts.

SB 59, relative to the removal of county officers and temporary filling of the office.

SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities.

SB 364, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

SB 381, relative to the combustion of the wood component of construction and demolition debris.

SB 471-FN, relative to parking for persons with disabilities.

SB 478-FN, permitting the online renewal of a nondriver's picture identification card.

SB 550-FN, relative to the maximum gross weight for dump trailers.

SB 210-FN, relative to regulation of septic system evaluators.

SB 441-FN, relative to discounts and admission without charge at state parks.

SB 536, relative to emergency interim relief under the child protection act.

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities.

SB 305, relative to the brew pub license.

SB 403, relative to the sale of gift certificates with expiration dates.

SB 458-FN, relative to reporting by political committees and relative to agreements to share voter information with other states.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

UNANIMOUS CONSENT

Rep. Abramson requested Unanimous Consent of the House regarding an apology and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 9:50 p.m.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1170, 1266, 1280, 1286, 1287, 1294, 1302, 1316, 1331, 1349, 1394, 1403, 1452, 1553, 1594, 1601 and 1618 and Senate Bills numbered 343, 358, 442, 453 and 543.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILL AMENDMENTS

HB 659-FN-L, relative to eligibility for an absentee ballot.

Amendment 2016-1914EBA

Amend RSA 657:1 as inserted by section 1 of the bill by replacing line 10 with the following: children and infirm adults, with or without compensation.

Amend RSA 657:4, I as inserted by section 2 of the bill by replacing line 26 with the following: application, the term "employment" shall include the care of children and infirm

Amend RSA 657:7, II(a) as inserted by section 3 of the bill by replacing lines 11-12 with the following: am blind). For the purposes of this certification, the term "working" shall include the care of children and infirm adults, with or without compensation.

Amend RSA 669:26 as inserted by section 4 of the bill by replacing lines 10-11 with the following: RSA 669:27-669:29. For the purposes of this section, the term "employment" shall include the care of children and infirm adults, with or without compensation.

Motion adopted.

HB 1264, relative to carnival or amusement ride inspections.

Amendment 2016-1915EBA

Amend section 9 of the bill by replacing line 1 with the following:

9 Temporary Suspension; Required Insurance. Amend RSA 321-A:7 to read as follows: Amend RSA 321-A:8 as inserted by section 10 of the bill by replacing line 4 with the following: petition. Thereafter, any person aggrieved by a decision of the commissioner or his *or her* designee may Motion adopted.

HB 1357, relative to the duties of the department of cultural resources.

Amendment 2016-1976EBA

Amend section 1 of the bill by replacing line 2 with the following: RSA 21-K:2, II by inserting after subparagraph (d) the following new subparagraph:

Motion adopted.

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

Amendment 2016-1903EBA

Amend RSA 287-E:11, III as inserted by section 1 of the bill by replacing line 3 with the following: shall not exceed the total value of \$500] this section, in any one game on any calendar day, shall Motion adopted.

HB 1588, repealing certain prohibitions on employment of state employees.

Amendment 2016-1907EBA

Amend section 1 of the bill by replacing line 4 with the following:

II. RSA 21-I:14-b, relative to the prohibition on future employment for employees of the Motion adopted.

HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

Amendment 2016-1971EBA

Amend section 3 of the bill by replacing line 1 with the following:

3 New Paragraph; Managed Care; Provider Contract Standards. Amend RSA 420-J:8 by inserting after Amend RSA 420-J:8, XV(a)(2)(B) as inserted by section 3 of the bill by replacing line 2 with the following:

investigate and resolve the appeal within 30 business days;

Amend RSA 420-J:8, XV(a)(2)(C)(ii) as inserted by section 3 of the bill by replacing line 2 with the following:

by contracted pharmacies at a price at or below the maximum allowable cost; and Motion adopted.

HCR 12, urging support of the 65/25 initiative in New Hampshire.

Amendment 2016-1968EBA

Amend the third paragraph after the title of the resolution by replacing line 1 with the following: Whereas, the 65/25 goal is designed as an effort to improve the quality of, access to, and relevance of

Motion adopted.

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 285, relative to discussion with legal counsel under the right-to-know law.

The President appointed Senators Carson, Cataldo and Pierce.

HB 353-FN. relative to the governance of condominium unit owners' associations.

The President appointed Senators Stiles, Prescott and Pierce.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. The President appointed Senators Prescott, Avard and Fuller Clark.

HB 606-FN-L, relative to costs for public records filed electronically.

The President appointed Senators Carson, Cataldo and Soucy.

CONCURRENCE

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.

HB 1293, relative to the procedure for charter amendments.

HB 1305, relative to the use of an ignition interlock device.

HB 1354, establishing a committee to study livestock and meat inspection.

HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis.

HB 1468, relative to sessions for correction of the checklist.

HB 1482, relative to the Interstate Voter Registration Crosscheck Program.

LAID ON THE TABLE

HB 1356, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

REFERRED FOR INTERIM STUDY

HB 1477, relative to the grace period for motor vehicle inspections.

HB 1508, allowing public libraries to run certain privacy software.

NONCONCURRENCE

HB 504, relative to online driver education.

HB 1132, relative to carrying a loaded rifle or loaded shotgun in certain vehicles.

HB 1203, relative to voting on variances.

HB 1322, relative to reports to the public employee labor relations board.

HB 1382, relative to the referendum procedure for public water systems.

HB 1455, relative to the application of the municipal budget law to village districts wholly within a town.

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry.

CONCURRENCE WITH AMENDMENTS

SB 341, establishing a committee to study guardianship in New Hampshire.

SB 345, relative to the definition of agritourism.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

SB 468-FN, relative to changes to the sex offender registry.

SB 481-FN, relative to a special health care service license and making an appropriation therefor.

SB 488-FN-L, establishing an advisory council on lactation.

SB 509-FN, relative to voter registration forms and relative to voter identity verification.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 14

Thursday, May 19, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O God, our Creator, Redeemer, and Sustainer, You know each one of us by name and You delight in our efforts to use the gifts You have given us. We thank You for our Governor, for the members of this House, for the administrative staff, and for all who govern, support, and sustain the State of New Hampshire and represent us in our nation's capital. We pray for Your blessing on each of them. Inspire today's discussions and deliberations so that every decision may be grounded in full knowledge and understanding of the issues, concern for the needs of our citizens, a deep desire for justice, and confidence in the abundance of gifts, abilities, and skills that have been brought to this place. We pray in faith, trusting that You will guide us in the ways of wisdom and truth. Amen.

Rep. Tholl, member from Whitefield, led the Pledge of Allegiance.

The National Anthem was sung by Alan St. Louis of Nashua.

LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Comtois, Doherty, Kellogg, Kidder, Moody, Priestley, Rappaport, Sanders and Sterling, the day, illness.

Reps. Beaudoin, Beaulieu, Booras, Cooney, Cornell, Dean-Bailey, DeSimone, Donovan, Edelblut, Elliott, Friel, Goulette, Hagan, Hess, Hill, Hoell, Hurt, Lundgren, McNamara, Moore, Nigrello, O'Connor, O'Hearne, O'Neil, Oligny, Kimberly Rice, Seidel, Shackett, Gregory Smith, Steven Smith, Stevens, Takesian, Townsend, Vann, Varney, Vose, Wallner and Joanne Ward, the day, important business.

Reps. Butler and Tucker, the day, illness in the family.

INTRODUCTION OF GUESTS

Dan Scott and Joe Fournier, students at Nashua Christian Academy, and Dylan Laleme, student at Profile High School, Pages for the day.

Sandra Leieach guest of Rep. June Frazer. Jim and Sue Haemker, guests of Rep. Abrami. Julie Roberts, guest of Rep. Horrigan. Nancy Guthrie, wife of Rep. Guthrie. Fourth grade students from Strong Foundations School in Pembroke, guests of Reps. Seaworth, Schuett and Doherty. Fourth grade students from Florence-Rideout Elementary School, guests of Reps. Williams, Carol Roberts, and McNamara.

COMMUNICATION

May 11, 2016

Rep. Shawn Jasper Speaker of the House House Majority Office New Hampshire House of Representatives State House Room 313 Concord, NH 03301

Re: Relocation/Resignation

Mr. Speaker,

Family circumstances have caused my relocation outside of my representative district (Hillsborough 23). Unfortunately, in light of recent rulings, this relocation, however temporary, requires that I resign my position as a State Representative.

It has been an honor to represent the people of Milford, Hillsborough County, and the great State of New Hampshire for the past two terms. It is comforting to know that there are so many dedicated, passionate, and intelligent people serving our state in the legislature. I will miss being a member of the House and will remain active in my efforts to advocate for the people of my district even though I can no longer do so in my official capacity as their representative.

It has been a tremendous learning experience and a pleasure to work with my colleagues to accomplish the important work of the state legislature.

Sincerely,

Rep. Shawn Sweeney

AMENDMENT TO HOUSE RULES

Reps. Hinch and Shurtleff moved the adoption of an amendment to House Rule 65, as proposed by the House Rules Committee, adding deadlines for legislative action, and as printed in House Calendar No. 30.

Monday, September 12, 2016

Friday, September 23, 2016

Friday, October 28, 2016 Monday, November 14, 2016

Friday, December 2, 2016 at 3:00 p.m.

Friday, January 6, 2017 at 12:00 p.m. Friday, January 27, 2017

First day for incumbents running for re-election to

file LSRs with complete information

Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information

Last day to file 2016 Interim Study reports
First day for all Representatives to file LSRs with

complete information
Last day to file LSRs with complete information

Ten day sign-off period begins Last day to sign-off on all LSRs Last day to introduce House Bills

Last day to amend House Rules by majority vote

Motion adopted by the necessary two-thirds vote.

SENATE MESSAGES NONCONCURS WITH AMENDMENTS REQUESTS COMMITTEE OF CONFERENCE

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

The President appointed Sens. Reagan, Cataldo and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Sytek, Goley and Hansen.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. The President appointed Sens. Reagan, Avard and Kelly.

Rep. Ladd moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Ladd, Weyler, Hinch and Heath.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 378, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities. (Amendment printed SJ 5/5/16)

Rep. Gargasz moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 131 members having voted in the affirmative, and 152 in the negative, the motion failed.

Rep. Shurtleff moved to concur.

Motion adopted.

HB 197-FN, establishing a commission to evaluate the 3-tier system. (Amendment printed SJ 5/12/16) Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 135 members having voted in the affirmative, and 155 in the negative, the motion failed.

Rep. Shurtleff moved to concur.

Motion adopted.

HB 1182-FN, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Amendment printed SJ 5/12/16)

Reps. Hunt and Major moved that the House nonconcur and request a Committee of Conference. On a division vote, with 217 members having voted in the affirmative, and 82 in the negative, the motion was adopted.

The Speaker appointed Reps. Hunt, Biggie, Abel and Kurk.

HB 1590-FN-A-L, relative of taxation of short-term rentals. (Amendment printed SJ 5/12/16)

Reps. Hunt and Major moved that the House nonconcur and request a Committee of Conference. On a division vote, with 144 members having voted in the affirmative, and 160 in the negative, the motion failed.

Rep. Shurtleff moved to concur.

Rep. Hunt yielded to questions.

On a division vote, with 153 members having voted in the affirmative, and 150 in the negative, the motion was adopted.

HB 1608-FN, relative to uniform prior authorization forms. (Amendment printed SJ 5/12/16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion failed.

Rep. Shurtleff moved to concur.

Rep. Hunt yielded to questions.

On a division vote, with 162 members having voted in the affirmative, and 155 in the negative, the motion was adopted.

HB 1637-FN, relative to school attendance in towns with no public schools. (Amendment printed SJ 5/12/16)

Rep. Ladd moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 178 members having voted in the affirmative, and 137 in the negative, the motion was adopted.

The Speaker appointed Reps. Ladd, Hinch, Jasper and Packard.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Amendment printed SJ 5/12/16)

Rep. Hoelzel moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 289 members having voted in the affirmative, and 26 in the negative, the motion was adopted.

The Speaker appointed Reps. Gray, Jasper, Abrami and Rosenwald.

HB 533, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules. (Amendment printed SJ 5/5/16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference. On a division vote, with 305 members having voted in the affirmative, and 8 in the negative, the motion was adopted.

The Speaker appointed Reps. Andrew Christie, Packard, Parker and Gagnon.

HB 602-FN, relative to the use of drones. (Amendment printed SJ 5/12/16)

Reps. Andrew Christie and Tholl moved that the House nonconcur and request a Committee of Conference. On a division vote, with 312 members having voted in the affirmative, and 2 in the negative, the motion was adopted.

The Speaker appointed Reps. Andrew Christie, Kurk, Cushing and Parker.

HB 1404-FN, relative to certain positions in the insurance department. (Amendment printed SJ 4/21/16) Reps. Andrew Christie and Kurk moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Kurk, Andrew Christie, Lynne Ober and Leishman.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Amendment printed SJ 5/12/16) Rep. Kurk moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 312 members having voted in the affirmative, and 2 in the negative, the motion was adopted.

The Speaker appointed Reps. Lynne Ober, Chris Christensen, Packard and Shurtleff.

HB 1591-FN-A, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Amendment printed SJ 5/12/16) Rep. Kurk moved that the House nonconcur and request a Committee of Conference.

The House recessed at 10:50 a.m.

RECESS

The House reconvened at 10:56 a.m.

(Speaker Jasper in the Chair) HB 1591-FN-A CONT'D

Rep. Kurk withdrew his motion to nonconcur and request a Committee of Conference.

Rep. Kurk moved to nonconcur.

Rep. Lynne Ober spoke in favor.

Motion adopted.

Rep. Irwin declared a conflict of interest and did not participate.

The House recessed at 11:00 a.m.

RECESS

The House reconvened at 11:30 a.m.

(Speaker Jasper in the Chair) MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Barry moved that the House reconsider it action whereby, on a division vote of 153-150, the House adopted the motion to concur on HB 1590-FN-A-L, relative of taxation of short-term rentals.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 129

YEAS - 183 BELKNAP

Aldrich, Glen Fisher, Robert Spanos, Peter	Dumais, Russell Flanders, Donald Sylvia, Michael	Tilton, Franklin Gallagher, Brian Fraser, Valerie	Fields, Dennis Howard, Raymond
		CARROLL	

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	

CHESHIRE

Emerson, Susan Hunt, John Roberts, Kris McConnell, James

COOS

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John GRAFTON

GRAFTC

Almy, Susan Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ladd, Rick

HILLSBOROUGH

Ammon, Keith Adams, Christopher Biggie, Barbara Barry, Richard Coffey, James Byron, Frank Ferreira, Elizabeth Estevez, Eric Gagne, Larry Gargasz, Carolyn Haefner, Robert Gould, Linda Hogan, Edith Hinch, Richard Belanger, James Kurk, Neal LeBrun, Donald Lachance, Joseph McLean, Mark McClarren, Donald Notter, Jeanine Ohm, Bill Pellegrino, Anthony Parison, James Christie, Rick Proulx, Mark Rowe, Robert Sanborn, Laurie Simmons, Tammy Shaw, Barbara Sullivan, Victoria Ulery, Jordan

Griffin, Barbara Boehm, Raiph Danielson, David Flanagan, Jack Gidge, Kenneth Halstead, Carolyn Hopper, Gary Christiansen, Lars Marston, Dick Murotake, David McCarthy, Peggy Peterson, Ken Ober, Russell Schleien, Eric Souza, Kathleen Wolf, Terry

Balcom, John Burt, John Eastman, Eric Fromuth, Bart Gonzalez, Carlos Hansen, Peter Infantine, William Ober, Lynne Martel, Andre Murphy, Keith Palmer, Barry Pierce, David Rouillard, Claire Scontsas, Lisa Twombly, Timothy Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Marple, Richard McGuire, Carol Horn, Werner Martin, John Long, Douglas Kotowski, Frank Seaworth, Brian McGuire, Dan Kuch, Bill Walsh, Thomas

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Cardon, G. Thomas
Devine, James
Rice, Frederick
Green, Dennis
Hoelzel, Kathleen
Kappler, Lawrence
Major, Norman
McMahon, Charles
Peckham, Michele
Schroadter, Adam
Weyler, Kenneth

Abrami, Patrick Barnes, Arthur Chirichiello, Brian Duarte, Joe Ferrante, Beverly Guthrie, Joseph Introne, Robert Katsakiores, Phyllis Manning, John Milz, David Potucek, John Sytek, John Woitkun, Steven Abramson, Max
Bates, David
Cook, Allen
Emerick, J. Tracy
Fesh, Robert
Harris, Jeffrey
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Osborne, Jason
Prudhomme-O'Brien, Katherine
True, Chris

Azarian, Gary Bush, Carol Thomas, Douglas Chase, Francis Gannon, William Hodgdon, Bruce Sweeney, Joe Griffin, Mary McKinney, Betsy Packard, Sherman Gordon, Richard Webb, James

STRAFFORD

Bickford, David Gray, James Jones, Laura Leeman, Don Cheney, Catherine Groen, Warren Kaczynski, Thomas Mullen, John DeLemus, Susan Hannon, Joseph Knowles, Robert Pitre, Joseph Graham, Robert Horrigan, Timothy Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas

Rollins, Skip

NAYS - 129 CARROLL

Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Bordenet, John Chase, Cynthia Mann, John Parkhurst, Henry Robertson, Timothy Sad. Tara Weber, Lucy

Tilton, Benjamin Eaton, Daniel Pearson, William Shepardson, Mariorie

Berch, Paul Ley, Douglas Phillips, Larry Tatro, Bruce

COOS

Froburg, Alethea Moynihan, Wayne Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard Hennessey, Martha Piper, Wendy White, Andrew

Bennett, Travis Maes, Kevin Brown, Rebecca Ford, Susan Massimilla, Linda Smith, Suzanne

Higgins, Patricia Nordgren, Sharon Sykes, George

HILLSBOROUGH

Backus, Robert Sullivan, Daniel Freitas, Mary Heath, Mary Leishman, Peter Brown, Pamela Rosenwald, Cindy Smith, Timothy

Bouldin, Amanda DiSilvestro, Linda Gorman, Mary Herbert, Christopher O'Brien, Michael Long, Patrick Shattuck, Gilman Williams, Kermit

Roberts, Carol Edwards, Elizabeth Hansberry, Daniel Jack, Martin Mangipudi, Latha Porter, Marjorie Snow, Kendall Woodbury, David

Cohen, Alan Forest, Armand Harvey, Suzanne Jeudy, Jean Manley, Jonathan Walsh, Robert Soucy, Timothy

MERRIMACK

Turcotte, Alan Bradley, Paula Gile, Mary Karrick, David Myler, Mel Saunderson, George Alicea, Caroletta Rice, Chip Henle, Paul Kenison, Linda Patten, Dick Schuett, Dianne

French, Barbara Carson, Clyde Hirsch, Geoffrey Luneau, David Ratzki, Mario Shurtleff, Stephen

Bartlett, Christy Ebel, Karen Frazer, June MacKay, James Rogers, Katherine Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Cushing, Robert Ward, Gerald Gordon, Pamela

Borden, David DiFranco, Debbie Heffron, Frank Pantelakos, Laura

Cahill, Michael Edgar, Michael Lovejoy, Patricia Sherman, Thomas

Cali-Pitts, Jacqueline Francese, Paula McBeath, Rebecca Simpson, Alexis

STRAFFORD

Baber, William Cilley, Jacalyn Smith, Marjorie Sprague, Dale

Berube, Roger DiSesa, Len Schmidt, Peter Treleaven, Susan

Bixby, Peter Ward. Kenneth Rollo, Deanna Verschueren, James

Burton, Wayne Kaen, Naida Southworth, Thomas Wall, Janet

SULLIVAN

Schmidt, Andrew Gottling, Suzanne

Cloutier, John Irwin, Virginia and the motion was adopted.

Converse, Larry Oxenham, Lee

Gagnon, Raymond

The question now being adoption of the motion to concur. Motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hunt moved that the House reconsider it action whereby, on a division vote of 144-160, the House failed to adopt the motion to nonconcur and request a Committee of Conference on HB 1590-FN-A-L, relative of taxation of short-term rentals. On a division vote, with 188 members having voted in the affirmative, and 128 in the negative, the motion was adopted.

The question now being adoption of the motion to nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Butler and Abrami.

HB 1695-FN, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports. (Amendment printed SJ 5/12/16) Reps. Kotowski and Kurk moved that the House nonconcur and request a Committee of Conference. On a division vote, with 294 members having voted in the affirmative, and 20 in the negative, the motion was adopted.

The Speaker appointed Reps. Stephen Schmidt, Jasper, Weyler and Rosenwald.

HB 2016, relative to the state 10-year transportation improvement program. (Amendment printed SJ 5/12/16)

Rep. Chandler moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 312 members having voted in the affirmative, and 1 in the negative, the motion was adopted.

The Speaker appointed Reps. Chandler, McConkey, Gionet and Cloutier.

HB 280-FN, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans. (Amendment printed SJ 5/12/16)

Reps. Steven Smith and Kurk moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Hunt and Sykes.

COMMUNICATION

Speaker Shawn Jasper State House Room 312 Concord, NH 03301 May 16, 2016

Dear Mr. Speaker;

It is with much regret that I must resign my House seat, Merrimack District 16.

It has been a great honor and privilege to represent the citizens of my district for two terms. I am pleased to have participated in the passage of important legislation, such as Medicaid Expansion, that has improved the lives of the citizens of New Hampshire.

I am hopeful that the New Hampshire House will maintain a spirit of bipartisanship, shared problem solving and open government.

Sincerely yours, Representative Helen Deloge 30 Wilson Avenue Concord, New Hampshire 03301

SENATE MESSAGES CONT'D REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1396, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (Amendment printed SJ 5/12/16)

Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference. On a division vote, with 192 members having voted in the affirmative, and 125 in the negative, the motion was adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Laware and Soucy.

HB 1697-FN, relative to the operation and insurance of transportation network companies. (Amendment printed SJ 5/12/16)

Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Packard and Hunt.

HB 668-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Amendment printed SJ 5/12/16)

Rep. Major moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Major, Abrami, Gallagher and Lovejoy.

HB 1385-FN-A, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Amendment printed SJ 5/5/16)

Rep. Major moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

Aldrich, Glen

The Speaker appointed Reps. Major, Abrami, Lachance and Lovejoy.

HB 1656-FN, relative to exceptions to the real estate transfer tax. (Amendment printed SJ 5/5/16) Rep. Major moved that the House nonconcur and request a Committee of Conference. Motion adopted.

The Speaker appointed Reps. Abrami, Hess, Ohm and Ames.

HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund. (Amendment printed SJ 4/28/16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

On a division vote, with 179 members having voted in the affirmative, and 138 in the negative, the motion was adopted.

The Speaker appointed Reps. Rowe, Rouillard, Wall and Introne.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. (Amendment printed SJ 5/12/16)

Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.

Rep. Schleien spoke against and yielded to questions.

Reps. Abramson and Kotowski spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

Dumais, Russell

YEAS 181 - NAYS 138

YEAS - 181 BELKNAP

Tilton Franklin

Aldrich, Glen Flanders, Donald Sylvia, Michael	Dumais, Russell Gallagher, Brian Fraser, Valerie	Titton, Franklin Howard, Raymond	Fields, Dennis Spanos, Peter
		CARROLL	
Avellani, Lino	Buco, Thomas	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	
	0	CHESHIRE	
Bordenet, John	Emerson, Susan	Hunt, John	McConnell, James

COOS

Fothergill, John Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON

Brown, Duane Darrow, Stephen Hennessey, Erin Johnson, Eric Gionet, Edmond Hull, Robert Ladd, Rick

HILLSBOROUGH

Ammon, Keith Adams, Christopher Barry, Richard Biggie, Barbara Christensen, Chris Byron, Frank Estevez, Eric Eastman, Eric Gargasz, Carolyn Gagne, Larry Haefner, Robert Gould, Linda Hinch, Richard Hansen, Peter Belanger, James Infantine, William Lachance, Joseph Ober, Lynne McClarren, Donald Martel, Andre Notter, Jeanine Murphy, Keith Parison, James Palmer, Barry Proulx, Mark Pierce, David Rowe, Robert Rouillard, Claire Simmons, Tammy Shaw, Barbara Sullivan, Victoria Wolf, Terry

Griffin, Barbara
Boehm, Ralph
Coffey, James
Ferreira, Elizabeth
Gidge, Kenneth
Halstead, Carolyn
Hogan, Edith
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Pellegrino, Anthony
Christie, Rick
Sanborn, Laurie
Twombly, Timothy

Balcom, John
Burt, John
Danielson, David
Flanagan, Jack
Gonzalez, Carlos
Hansberry, Daniel
Hopper, Gary
Christiansen, Lars
Marston, Dick
Murotake, David
McCarthy, Peggy
Peterson, Ken
Ober, Russell
Scontsas, Lisa
Ulery, Jordan

MERRIMACK

Bradley, Paula Brewster, Michael McGuire, Dan French, Harold Kuch, Bill Marple, Richard Seaworth, Brian Walsh, Thomas

McGuire, Carol Horn, Werner Martin, John Long, Douglas Kotowski, Frank Rogers, Katherine

ROCKINGHAM

Christie, Andrew
Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Rice, Frederick
Green, Dennis
Hoelzel, Kathleen
Kappler, Lawrence
Major, Norman
McMahon, Charles
Peckham, Michele
Schroadter, Adam
Woitkun, Steven

Abrami, Patrick Barnes, Arthur Cook, Allen Duarte, Joe Ferrante, Beverly Guthrie, Joseph Introne, Robert Katsakiores, Phyllis Manning, John Milz, David Potucek, John Sytek, John

Abramson, Max
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Fesh, Robert
Harris, Jeffrey
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Osborne, Jason
Prudhomme-O'Brien, Katherine
True, Chris

Azarian, Gary Bush, Carol Devine, James Chase, Francis Gannon, William Hodgdon, Bruce Sweeney, Joe Griffin, Mary McKinney, Betsy Packard, Sherman Gordon, Richard Webb, James

STRAFFORD

Berube, Roger Bi Graham, Robert G Jones, Laura Ka Leeman, Don M

Bickford, David Gray, James Kaczynski, Thomas Mullen, John Cheney, Catherine Groen, Warren Knowles, Robert Pitre, Joseph DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 138 BELKNAP

Fisher, Robert

CARROLL

Comeau, Ed Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard
Chase, Cynthia Eaton, Daniel
Ley, Douglas Mann, John
Phillips, Larry Robertson, Timothy
Tatro, Bruce Weber, Lucy

Berch, Paul Roberts, Kris Pearson, William Shepardson, Marjorie

COOS

Froburg, Alethea Moynihan, Wayne

Theberge, Robert

Tilton, Benjamin

Johnsen, Gladys

Parkhurst, Henry

Sad, Tara

Thomas, Yvonne

GRAFTON

Abel, Richard Higgins, Patricia Nordgren, Sharon Sykes, George Almy, Susan Hennessey, Martha Piper, Wendy White, Andrew Bennett, Travis Maes, Kevin Brown, Rebecca

Ford, Susan Massimilla, Linda Smith, Suzanne

HILLSBOROUGH

Backus, Robert Cohen, Alan Edwards, Elizabeth Gorman, Mary Herbert, Christopher O'Brien, Michael Long, Patrick Schleien, Eric Souza, Kathleen Zaricki, Nick Baroody, Benjamin Cote, David Forest, Armand Guerette, C. Lee Jack, Martin Mangipudi, Latha Porter, Marjorie Shattuck, Gilman Smith, Timothy

Bouldin, Amanda Sullivan, Daniel Freitas, Mary Harvey, Suzanne Jeudy, Jean Manley, Jonathan Walsh, Robert Snow, Kendall Williams, Kermit Roberts, Carol DiSilvestro, Linda Fromuth, Bart Heath, Mary Leishman, Peter Brown, Pamela Rosenwald, Cindy Soucy, Timothy Woodbury, David

MERRIMACK

Turcotte, Alan Rice, Chip Henle, Paul Kenison, Linda Myler, Mel Schuett, Dianne Alicea, Caroletta Carson, Clyde Hirsch, Geoffrey Luneau, David Patten, Dick Shurtleff, Stephen

French, Barbara Ebel, Karen Frazer, June MacKay, James Ratzki, Mario Wheeler, Deborah Bartlett, Christy Gile, Mary Karrick, David Moffett, Howard Saunderson, George

ROCKINGHAM

Berrien, Skip Cardon, G. Thomas Francese, Paula McBeath, Rebecca Simpson, Alexis Borden, David Cushing, Robert Ward, Gerald Gordon, Pamela

Cahill, Michael DiFranco, Debbie Heffron, Frank Pantelakos, Laura Cali-Pitts, Jacqueline Edgar, Michael Lovejoy, Patricia Sherman, Thomas

STRAFFORD

Baber, William DiSesa, Len Smith, Marjorie Sprague, Dale Bixby, Peter Horrigan, Timothy Schmidt, Peter Treleaven, Susan Burton, Wayne Ward, Kenneth Rollo, Deanna Verschueren, James

Cilley, Jacalyn Kaen, Naida Southworth, Thomas Wall, Janet

SULLIVAN

Cloutier, John Irwin, Virginia Converse, Larry Oxenham, Lee Gagnon, Raymond

Gottling, Suzanne

and the motion was adopted.

The Speaker appointed Reps. Stephen Schmidt, MacKay, LeBrun and Pamela Gordon.

The House recessed at 12:00 p.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair) SPECIAL ORDERED

Without objection, the Speaker made the next order of business the bills from the Education Committee due to Committee of Conference scheduling conflicts.

SENATE MESSAGES CONT'D REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1272-FN, relative to bus transportation for chartered public school students. (Amendment printed

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction. (Amendments printed SJ 5/5/16)

Reps. Ladd and Kurk moved that the House concur.

Rep. Ladd spoke in favor.

Motion adopted.

Edwards, Elizabeth

Hansberry, Daniel

Fromuth, Bart

MOTION TO REMOVE FROM THE TABLE

Rep. Ulery moved that SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be removed from the table.

Rep. Timothy Smith requested a roll call; sufficiently seconded.

Estevez, Eric

Gonzalez, Carlos

Harvey, Suzanne

YEAS 171 - NAYS 106

YEAS -	171
RELK	NAP

	В	ELKNAP	
Aldrich, Glen Howard, Raymond	Dumais, Russell	Flanders, Donald	Gallagher, Brian
	C	ARROLL	
Avellani, Lino	McCarthy, Frank	Ticehurst, Susan	
	C	HESHIRE	
Abbott, Michael Eaton, Daniel Mann, John Robertson, Timothy	Ames, Richard Johnsen, Gladys Parkhurst, Henry Sad, Tara	Tilton, Benjamin Roberts, Kris Pearson, William Shepardson, Marjorie	Bordenet, John Ley, Douglas Phillips, Larry Weber, Lucy
		COOS	
Fothergill, John	Moynihan, Wayne	Rideout, Leon	Theberge, Robert
	G	RAFTON	
Abel, Richard Hennessey, Erin Higgins, Patricia Piper, Wendy	Almy, Susan Johnson, Eric Hennessey, Martha Brown, Rebecca	Bennett, Travis Ford, Susan Maes, Kevin Smith, Suzanne	Darrow, Stephen Gionet, Edmond Massimilla, Linda Sykes, George
	HILI	LSBOROUGH	
Backus, Robert Cohen, Alan	Balcom, John Cote, David	Boehm, Ralph Danielson, David	Roberts, Carol Eastman, Eric
Condi, Alaii	Joto, David	,	

Forest, Armand

Gorman, Mary

Heath, Mary

Freitas, Mary

Guerette, C. Lee

Herbert, Christopher

Nordgren, Sharon

		12, 2010	
Hopper, Gary Christiansen, Lars Marston, Dick Long, Patrick Proulx, Mark Shattuck, Gilman Ulery, Jordan	Infantine, William O'Brien, Michael McClarren, Donald McCarthy, Peggy Christie, Rick Shaw, Barbara Williams, Kermit	Belanger, James Mangipudi, Latha Murotake, David Peterson, Ken Walsh, Robert Snow, Kendall Wolf, Terry	Jack, Martin Manley, Jonathan Murphy, Keith Porter, Marjorie Rouillard, Claire Smith, Timothy Zaricki, Nick
	ME	CRRIMACK	
Alicea, Caroletta Carson, Clyde Henle, Paul Karrick, David Moffett, Howard Saunderson, George Walsh, Thomas	Bartlett, Christy Long, Douglas Hirsch, Geoffrey Kuch, Bill Myler, Mel Schuett, Dianne Wheeler, Deborah	Bradley, Paula Gile, Mary Horn, Werner Luneau, David Ratzki, Mario Seaworth, Brian	Rice, Chip French, Harold Frazer, June MacKay, James Rogers, Katherine Shurtleff, Stephen
	ROC	CKINGHAM	
Abramson, Max Cahill, Michael Cushing, Robert Emerick, J. Tracy Guthrie, Joseph Lovejoy, Patricia Prudhomme-O'Brien, Katherine Simpson, Alexis	Barnes, Arthur Cali-Pitts, Jacqueline DiFranco, Debbie Francese, Paula Harris, Jeffrey McBeath, Rebecca Gordon, Richard True, Chris	Berrien, Skip Cardon, G. Thomas Duarte, Joe Ward, Gerald Heffron, Frank Gordon, Pamela Schroadter, Adam Woitkun, Steven	Borden, David Cook, Allen Edgar, Michael Green, Dennis Itse, Daniel Pantelakos, Laura Sherman, Thomas
	ST	RAFFORD	
Baber, William Cilley, Jacalyn Kaczynski, Thomas Southworth, Thomas	Bickford, David Groen, Warren Leeman, Don Verschueren, James	Bixby, Peter Hannon, Joseph Schmidt, Peter Wall, Janet	Burton, Wayne Horrigan, Timothy Rollo, Deanna
	SU	JLLIVAN	
Cloutier, John Irwin, Virginia	Converse, Larry Oxenham, Lee	Gottling, Suzanne Rollins, Skip	Grenier, James
	N/	AYS - 106	
		ELKNAP	
Tilton, Franklin Fraser, Valerie	Fields, Dennis	Spanos, Peter	Sylvia, Michael
	CA	ARROLL	
Buco, Thomas Nelson, Bill	Chandler, Gene Schmidt, Stephen	Crawford, Karel Umberger, Karen	McConkey, Mark
	CH	IESHIRE	
Berch, Paul Tatro, Bruce	Chase, Cynthia	Hunt, John	McConnell, James
		coos	
Froburg, Alethea	Tholl, John		
	GI	RAFTON	
Brown, Duane	Hull, Robert	Ingbretson, Paul	Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara Byron, Frank Gargasz, Carolyn Hinch, Richard LeBrun, Donald Palmer, Barry Rowe, Robert Twombly, Timothy	Barry, Richard
Biggie, Barbara	Burt, John		Christensen, Chris
Ferreira, Elizabeth	Gagne, Larry		Gould, Linda
Haefner, Robert	Hansen, Peter		Hogan, Edith
Kurk, Neal	Ober, Lynne		McLean, Mark
Notter, Jeanine	Brown, Pamela		Parison, James
Pierce, David	Ober, Russell		Scontsas, Lisa
Simmons, Tammy	Souza, Kathleen		Sullivan, Victoria
Simmons, Tammy Woodbury, David	Souza, Kathleen	Twombly, Timothy	Sullivan, Victoria

MERRIMACK

Brewster, Michael	McGuire, Carol	McGuire, Dan	Kenison, Linda
Kotowski, Frank	Marple, Richard	Martin, John	

ROCKINGHAM

ro, Alfred Bates, David James Doucette, Fred
William Hodgdon, Bruce Lawrence Katsakiores, Phyllis lorman Manning, John Packard, Sherman ohn Webb, James

STRAFFORD

Berube, Roger	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Jones, Laura	Kaen, Naida	Knowles, Robert
Turcotte, Leonard	Smith, Marjorie	Mullen, John	Wuelper, Kurt

SULLIVAN

Laware, Thomas

Phillips, Larry Weber, Lucy

and the motion was adopted.

The question now being adoption of the motion of Ought to Pass.

Rep. Timothy Smith moved the previous question.

On a division vote, with 176 members having voted in the affirmative, and 113 in the negative, the motion was adopted and debate was limited.

The question now being adoption of the motion of Ought to Pass. Rep. Timothy Smith requested a roll call; sufficiently seconded.

Robertson, Timothy

YEAS 171 - NAYS 119

YEAS - 171 BELKNAP

Sad, Tara

Shepardson, Marjorie

Aldrich, Glen	Dumais, Russell	Gallagher, Brian	
	(CARROLL	
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Ticehurst, Susan
		CHESHIRE	
Abbott, Michael Chase, Cynthia Ley, Douglas	Ames, Richard Eaton, Daniel Mann, John	Tilton, Benjamin Johnsen, Gladys Parkhurst, Henry	Bordenet, John Roberts, Kris Pearson, William
Loj, Douglao			Ot the second development

COOS Fothergill, John Hatch, William Moynihan, Wayne Rideout, Leon Theberge, Robert GRAFTON Abel, Richard Almy, Susan Bennett, Travis Darrow, Stephen Hennessey, Erin Johnson, Eric Ford, Susan Gionet, Edmond Higgins, Patricia Ladd, Rick Hennessey, Martha Maes, Kevin Massimilla, Linda Piper, Wendy Brown, Rebecca Smith, Suzanne Sykes, George HILLSBOROUGH Backus, Robert Boehm, Ralph Bouldin, Amanda Roberts, Carol Cohen, Alan Cote, David Sullivan, Daniel Danielson, David Eastman, Eric Edwards, Elizabeth Estevez, Eric Forest, Armand Freitas, Mary Gonzalez, Carlos Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hopper, Gary Infantine, William Jack, Martin Christiansen, Lars Ober, Lynne Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan Marston, Dick McClarren, Donald Murotake, David Brown, Pamela Long, Patrick McCarthy, Peggy Peterson, Ken Porter, Marjorie Proulx, Mark Christie, Rick Ober, Russell Walsh, Robert Rouillard, Claire Shaw, Barbara Snow, Kendall Soucy, Timothy Smith, Timothy Sullivan, Victoria Williams, Kermit Wolf. Terry Zaricki, Nick MERRIMACK Alicea, Caroletta Bartlett, Christy Bradley, Paula Rice, Chip Carson, Clyde Long, Douglas Gile, Mary French, Harold Henie, Paul Hirsch, Geoffrey Hom. Werner Frazer, June Karrick, David Kuch, Bill Luneau, David MacKay, James Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Wheeler, Deborah ROCKINGHAM Abramson, Max Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cook, Allen Cushing, Robert DiFranco, Debbie Doucette, Fred Duarte, Joe Edgar, Michael Emerick, J. Tracy Francese, Paula Ward, Gerald Heffron, Frank Itse. Daniel Lovejoy, Patricia Manning, John McBeath, Rebecca Gordon, Pamela Pantelakos, Laura Gordon, Richard Sherman, Thomas Simpson, Alexis Weyler, Kenneth STRAFFORD Baber, William Bickford, David Bixby, Peter Burton, Wayne Cilley, Jacalyn Hannon, Joseph Horrigan, Timothy Ward, Kenneth Knowles, Robert Leeman, Don Schmidt, Peter Rollo, Deanna Southworth, Thomas Treleaven, Susan Wall, Janet SULLIVAN Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James

Irwin, Virginia Oxenham, Lee Rollins, Skip

NAYS - 119 BELKNAP

Tilton, Franklin Fields, Dennis Flanders, Donald Howard, Raymond Spanos, Peter Sylvia, Michael Fraser, Valerie

CARROLL

Nelson, Bill Chandler, Gene Avellani, Lino Buco, Thomas

Schmidt, Stephen Umberger, Karen

CHESHIRE

McConnell, James Tatro, Bruce Hunt, John Berch, Paul

COOS

Tholl, John Froburg, Alethea

GRAFTON

Nordgren, Sharon Ingbretson, Paul Hull, Robert Brown, Duane

HILLSBOROUGH

Balcom, John Griffin, Barbara Ammon, Keith Adams, Christopher Byron, Frank Biggie, Barbara Burt, John Barry, Richard Fromuth, Bart Ferreira, Elizabeth Christensen, Chris Coffey, James Gould, Linda Haefner, Robert Gargasz, Carolyn Gagne, Larry Belanger, James Hinch, Richard Hogan, Edith Hansen, Peter Murphy, Keith McLean, Mark Kurk, Neal LeBrun, Donald Parison, James Ohm, Bill Palmer, Barry Notter, Jeanine Scontsas, Lisa Rowe, Robert Pierce, David Pellegrino, Anthony Twombly, Timothy Souza, Kathleen Shattuck, Gilman Simmons, Tammy Woodbury, David

MERRIMACK

Kenison, Linda McGuire, Dan McGuire, Carol Brewster, Michael Seaworth, Brian Martin, John Marple, Richard Kotowski, Frank Walsh, Thomas

ROCKINGHAM

Baldasaro, Alfred Azarian, Gary Abrami, Patrick Christie, Andrew Thomas, Douglas Devine, James Chirichiello, Brian Bates, David Green, Dennis Rice. Frederick Gannon, William Chase, Francis Hoelzel, Kathleen Hodgdon, Bruce Guthrie, Joseph Harris, Jeffrey Kolodziei, Walter Katsakiores, Phyllis Introne, Robert Kappler, Lawrence Milz, David Major, Norman Matthews, Carolyn Griffin, Mary Potucek, John Peckham, Michele Osborne, Jason Packard, Sherman True, Chris Sytek, John Schroadter, Adam Prudhomme-O'Brien, Katherine Woitkun, Steven Webb, James

STRAFFORD

Graham, Robert Cheney, Catherine DeLemus, Susan Berube, Roger Kaczynski, Thomas Groen, Warren Jones, Laura Grav, James Mullen, John Smith, Marjorie Turcotte, Leonard Kaen, Naida

SULLIVAN

Laware, Thomas

Verschueren, James

Ulery, Jordan

and the motion failed lacking the necessary two-thirds vote.

Wuelper, Kurt

MOTION TO LAY ON THE TABLE

Rep. Ulery moved that SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution, be laid on the table.

Motion adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Ulery moved that SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government, be removed from the table.

Rep. Groen requested a roll call; sufficiently seconded.

YEAS 80 - NAYS 211

YEAS - 80	
BELKNAP	

Aldrich, Glen Tilton, Franklin Gallagher, Brian Howard, Raymond

CARROLL

Avellani, Lino McCarthy, Frank

CHESHIRE

Tilton, Benjamin Johnsen, Gladys Roberts, Kris Mann, John Pearson, William Phillips, Larry

Shepardson, Mariorie

COOS

Rideout, Leon Theberge, Robert

GRAFTON

Darrow, Stephen Johnson, Eric Massimilla, Linda Brown, Rebecca

HILLSBOROUGH

Balcom, John Burt, John Byron, Frank Roberts, Carol Cohen, Alan Sullivan, Daniel Danielson, David Eastman, Eric Edwards, Elizabeth Gonzalez, Carlos Gorman, Mary Ober, Lynne Leishman, Peter Marston, Dick McLean, Mark Murotake, David Murphy, Keith McCarthy, Peggy Proulx, Mark Christie, Rick Ober, Russell Rouillard, Claire Scontsas, Lisa Simmons, Tammy Ulery, Jordan Sullivan, Victoria Wolf, Terry Zaricki. Nick

MERRIMACK

Alicea, Caroletta French, Barbara Long, Douglas McGuire, Dan French, Harold Horn, Werner Patten, Dick Seaworth, Brian

ROCKINGHAM

Abramson, Max Barnes, Arthur Duarte, Joe Green, Dennis Guthrie, Joseph Harris, Jeffrey Itse, Daniel Lovejoy, Patricia Pantelakos, Laura Prudhomme-O'Brien, Katherine Gordon, Richard Schroadter, Adam True, Chris

STRAFFORD

Bickford, David DeLemus, Susan Groen, Warren Hannon, Joseph Leeman, Don Southworth, Thomas

SULLIVAN

Cloutier, John Converse, Larry Laware, Thomas Rollins, Skip

Grenier, James Irwin, Virginia

NAYS - 211 BELKNAP

Dumais, Russell Fields, Dennis Flanders, Donald Spanos, Peter Sylvia, Michael Fraser, Valerie

CARROLL

Buco, Thomas McConkey, Mark Umberger, Karen Chandler, Gene Nelson, Bill Cordelli, Glenn Schmidt, Stephen

Crawford, Karel Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia McConnell, James Tatro, Bruce Ames, Richard Eaton, Daniel Parkhurst, Henry Weber, Lucy Berch, Paul Hunt, John Robertson, Timothy Bordenet, John Ley, Douglas Sad, Tara

COOS

Fothergill, John Tholl, John Froburg, Alethea Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard Hennessey, Erin Hull, Robert Maes, Kevin Sykes, George Almy, Susan Ford, Susan Ingbretson, Paul Nordgren, Sharon Bennett, Travis Gionet, Edmond Ladd, Rick Piper, Wendy Brown, Duane Higgins, Patricia Hennessey, Martha Smith, Suzanne

HILLSBOROUGH

Adams, Christopher
Barry, Richard
Bouldin, Amanda
Estevez, Eric
Freitas, Mary
Gould, Linda
Hansen, Peter
Hinch, Richard
Jack, Martin
O'Brien, Michael
Notter, Jeanine
Palmer, Barry
Pierce, David
Shattuck, Gilman
Souza, Kathleen

Ammon, Keith Beaulieu, Jane Christensen, Chris Ferreira, Elizabeth Fromuth, Bart Guerette, C. Lee Harvey, Suzanne Hogan, Edith Kurk, Neal Mangipudi, Latha Ohm, Bill Parison, James Porter, Marjorie Shaw, Barbara Twombly, Timothy Griffin, Barbara
Biggie, Barbara
Coffey, James
Flanagan, Jack
Gagne, Larry
Haefner, Robert
Heath, Mary
Hopper, Gary
Christiansen, Lars
Manley, Jonathan
Brown, Pamela
Pellegrino, Anthony
Walsh, Robert
Snow, Kendall
Williams, Kermit

Backus, Robert
Boehm, Ralph
Cote, David
Forest, Armand
Gargasz, Carolyn
Hansberry, Daniel
Herbert, Christopher
Belanger, James
LeBrun, Donald
McClarren, Donald
Long, Patrick
Peterson, Ken
Rowe, Robert
Soucy, Timothy
Woodbury, David

MERRIMACK

Bartlett, Christy Rice, Chip Hirsch, Geoffrey Kotowski, Frank Marple, Richard Ratzki, Mario Shurtleff, Stephen

Bradley, Paula Carson, Clyde Frazer, June Kuch, Bill Martin, John Rogers, Katherine Walsh, Thomas Brewster, Michael Gile, Mary Karrick, David Luneau, David Moffett, Howard Saunderson, George Wheeler, Deborah

McGuire, Carol Henle, Paul Kenison, Linda MacKay, James Myler, Mel Schuett, Dianne

ROCKINGHAM

Christie, Andrew Bates, David Cali-Pitts, Jacqueline Cushing, Robert Doucette, Fred Rice, Frederick Heffron, Frank Kappler, Lawrence Major, Norman Abrami, Patrick Berrien, Skip Cardon, G. Thomas Thomas, Douglas Edgar, Michael Francese, Paula Hodgdon, Bruce Katsakiores, Phyllis Manning, John Azarian, Gary Borden, David Chirichiello, Brian Devine, James Emerick, J. Tracy Ward, Gerald Hoelzel, Kathleen Kolodziej, Walter Matthews, Carolyn Baldasaro, Alfred Cahill, Michael Cook, Allen DiFranco, Debbie Chase, Francis Gannon, William Introne, Robert Griffin, Mary McBeath, Rebecca STRAFFORD

Milz, David Osborne, Jason Gordon, Pamela Packard, Sherman Peckham, Michele Potucek, John Sherman, Thomas Simpson, Alexis Svtek, John Webb, James Weyler, Kenneth Woitkun, Steven

Baber, William Berube, Roger Bixby, Peter Burton, Wayne Cheney, Catherine Cilley, Jacalyn Graham, Robert Gray, James Horrigan, Timothy Jones, Laura Kaczynski, Thomas Kaen, Naida Knowles, Robert Turcotte, Leonard Smith, Marjorie Mullen, John Schmidt, Peter Rollo, Deanna Treleaven, Susan Verschueren, James

Wall, Janet Wuelper, Kurt

SULLIVAN

Gagnon, Raymond Gottling, Suzanne Oxenham, Lee

and the motion failed.

SENATE MESSAGE NONCONCURS WITH AMENDMENTS REQUESTS COMMITTEE OF CONFERENCE

SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts.

The President appointed Sens. Carson, Bradley and D'Allesandro.

Rep. Packard moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Packard, Hinch, Russell Ober and Shurtleff.

SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business

The President appointed Sens. Bradley, Sanborn and D'Allesandro.

Rep. Major moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Major, Abrami, Gallagher and Lovejoy.

SB 301, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

The President appointed Sens. Bradley, Little and D'Allesandro.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Hinch, Packard and Abel.

SB 305, relative to the brew pub license.

The President appointed Sens. Prescott, Bradley and Pierce.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Biggie, Abel and Hurt.

SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees. The President appointed Sens. Carson, Cataldo and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Sytek, Hansen and Stephen Schmidt.

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

The President appointed Sens. Carson, Cataldo and D'Allesandro.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Sytek, Hansen, Proulx and Cilley.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

The President appointed Sens. Carson, Reagan and Soucy.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Sytek, Goley, Umberger and Andrew Christie.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

The President appointed Sens. Reagan, Avard and Woodburn.

Rep. Andrew Christie moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Andrew Christie, Cilley, McConnell and Chris Christensen.

SB 342-FN, relative to the sale or exchange of an interest in a business organization under the business profits tax.

The President appointed Sens. Boutin, Bradley and D'Allesandro.

Rep. Major moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Major, Abrami, Lovejoy and Lachance.

SB 384, relative to the feeding of wild deer.

The President appointed Sens. Little, Sanborn and Feltes.

Rep. Webb moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kidder, Webb, Spillane and Vann.

SB 391, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

The President appointed Sens. Carson, Forrester and Lasky.

Rep. Tholl moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Tholl, Martin, DiSesa and Parker.

SB 402, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

The President appointed Sens. Carson, Daniels and Lasky.

Rep. Rowe moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Rouillard, McLean, Hopper and Woodbury.

SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

The President appointed Sens. Prescott, Cataldo and Soucy.

Rep. Flanagan moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Infantine, Murphy, White and Umberger.

SB 411, relative to the merger of lots.

The President appointed Sens. Prescott, Cataldo and Watters.

Rep. Hunt moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hunt, Bates, Williams and Harold French.

SB 441-FN, relative to discounts and admission without charge at state parks.

The President appointed Sens. Stiles, Boutin and Woodburn.

Rep. Chris Christensen moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Chris Christensen, Mullen, Suzanne Smith and Major.

SB 466-FN, relative to the detention of youthful offenders at the youth development center.

The President appointed Sens. Forrester, Little and D'Allesandro.

Reps. Gargasz and Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Gargasz, Kurk, Barry and Berrien.

SB 471-FN, relative to parking for persons with disabilities.

The President appointed Sens. Stiles, Birdsell and Watters.

Rep. Thomas Walsh moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Steven Smith, Thomas Walsh, Packard and Sykes.

SB 4, relative to eligibility to vote and relative to availability of voter information.

The President appointed Sens. Birdsell, Bradley and Lasky.

Rep. Hoelzel moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Hoelzel, Schroadter, Gray and Gannon.

SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

The President appointed Sens. Forrester, Little and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kurk, Lynne Ober, Hinch and Rosenwald.

SB 495-FN-A, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, making appropriations to the department of administrative services, and relative to the definition of a cigar bar.

The President appointed Sens. Forrester, Little and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kurk, Lynne Ober, Hinch and Rosenwald.

SB 496-FN, relative to personal care attendant services.

The President appointed Sens. Sanborn, Avard and Fuller Clark.

Rep. Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. McMahon, Sherman, MacKay and LeBrun.

SB 498-FN, relative to penalties for possession of certain controlled drugs.

The President appointed Sens. Carson, Forrester and Hosmer.

Rep. Tholl moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Welch, DiSesa, Barnes and Cushing.

SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program, and relative to forfeiture of property.

The President appointed Sens. Bradley, Forrester and Hosmer.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Lynne Ober, Dan McGuire, Rouillard and Leishman.

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

The President appointed Sens. Bradley, Sanborn and Soucy.

Rep. Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kotowski, LeBrun, Freitas and Sherman.

SB 527-FN-A, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

The President appointed Sens. Forrester, Morse and D'Allesandro.

Rep. Kurk moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Umberger, Weyler, Kurk and Eaton.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

The President appointed Sens. Bradley, Sanborn and Woodburn.

Reps. Kurk and Kotowski moved that the House accede.

Motion adopted.

The Speaker appointed Reps. Kotowski, Kurk, Snow and MacKay.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 636-FN, relative to forfeiture of property; relative to the sale of premixed synthetic urine; establishing a grant program for high schools for heroin and opiate prevention education; and clarifying who may petition to adopt. (Amendment printed SJ 5/12/16)

Reps. Tholl and Kurk moved that the House nonconcur.

Rep. Tholl spoke in favor.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

YEAS 209 - NAYS 77

YEAS - 209 BELKNAP

Dumais, Russell Sylvia, Michael	Fields, Dennis Fraser, Valerie	Flanders, Donald	Gallagher, Brian
		CARROLL	
Chandler, Gene Schmidt, Stephen	Crawford, Karel Ticehurst, Susan	McConkey, Mark Umberger, Karen	Nelson, Bill
		CHESHIRE	
Abbott, Michael Eaton, Daniel Ley, Douglas Pearson, William Shepardson, Marjorie	Ames, Richard Emerson, Susan Mann, John Phillips, Larry Tatro, Bruce	Bordenet, John Johnsen, Gladys McConnell, James Robertson, Timothy Weber, Lucy	Chase, Cynthia Hunt, John Parkhurst, Henry Sad, Tara
		COOS	
Fothergill, John Tholl, John	Hatch, William	Moynihan, Wayne	Theberge, Robert
111011, 001111		GRAFTON	
Abel, Richard Ford, Susan Hennessey, Martha Piper, Wendy	Almy, Susan Gionet, Edmond Maes, Kevin Brown, Rebecca	Brown, Duane Higgins, Patricia Massimilla, Linda Smith, Suzanne	Hennessey, Erin Ladd, Rick Nordgren, Sharon Sykes, George

HILLSBOROUGH

Griffin, Barbara Beaulieu, Jane Coffey, James Estevez, Eric Freitas, Mary Gorman, Marv Harvey, Suzanne Belanger, James LeBrun, Donald Manley, Jonathan Murotake, David McCarthy, Peggy Pierce, David Walsh, Robert Shattuck, Gilman Smith, Timothy Williams, Kermit

Backus, Robert Biggie, Barbara Cohen, Alan Ferreira, Elizabeth Gagne, Larry Guerette, C. Lee Heath, Mary Kurk, Neal Leishman, Peter Marston, Dick Notter, Jeanine Palmer, Barry Porter, Mariorie Rosenwald, Cindy Snow, Kendall Twombly, Timothy Wolf, Terry

Balcom, John Christensen, Chris Sullivan, Daniel Flanagan, Jack Gargasz, Carolyn Haefner, Robert Hinch, Richard Christiansen, Lars O'Brien, Michael McClarren, Donald Ohm. Bill Pellegrino, Anthony Proulx, Mark Rouillard, Claire Soucy, Timothy Ulery, Jordan Woodbury, David

Barry, Richard Roberts, Carol Danielson, David Forest, Armand Gonzalez, Carlos Hansen, Peter Hogan, Edith Ober, Lynne Mangipudi, Latha McLean, Mark Brown, Pamela Peterson, Ken Ober, Russell Rowe, Robert Souza, Kathleen Sullivan, Victoria

MERRIMACK

Alicea, Caroletta Carson, Clyde Kenison, Linda MacKay, James Saunderson, George Walsh, Thomas French, Barbara Gile, Mary Kotowski, Frank Martin, John Schuett, Dianne Wheeler, Deborah Bradley, Paula Henle, Paul Kuch, Bill Patten, Dick Seaworth, Brian

Rice, Chip Hirsch, Geoffrey Luneau, David Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Berrien, Skip Cardon, G. Thomas Duarte, Joe Rice, Frederick Hoelzel, Kathleen Lovejoy, Patricia Matthews, Carolyn Peckham, Michele Sytek, John

Abrami, Patrick Borden, David Chirichiello, Brian Edgar, Michael Ward, Gerald Introne, Robert Griffin, Mary Milz, David Potucek, John Webb, James Azarian, Gary
Cahill, Michael
Thomas, Douglas
Emerick, J. Tracy
Guthrie, Joseph
Katsakiores, Phyllis
Major, Norman
Packard, Sherman
Prudhomme-O'Brien, Katherine
Weyler, Kenneth

Barnes, Arthur Cali-Pitts, Jacqueline Devine, James Chase, Francis Heffron, Frank Kolodziej, Walter Manning, John Pantelakos, Laura Sherman, Thomas Woitkun, Steven

STRAFFORD

Baber, William Cheney, Catherine Horrigan, Timothy Smith, Marjorie Sprague, Dale Berube, Roger Cilley, Jacalyn Kaen, Naida Mullen, John Verschueren, James Bickford, David Graham, Robert Knowles, Robert Schmidt, Peter Wall, Janet

Bixby, Peter Gray, James Leeman, Don Southworth, Thomas Wuelper, Kurt

SULLIVAN

Cloutier, John Irwin, Virginia

Gagnon, Raymond Laware, Thomas Gottling, Suzanne Oxenham, Lee Grenier, James

NAYS - 77 BELKNAP

Aldrich, Glen

Tilton, Franklin

Spanos, Peter

CARROLL

Avellani, Lino Buco, Thomas

McCarthy, Frank

CHESHIRE

Berch, Paul Tilton, Benjamin

COOS

Froburg, Alethea

Rideout, Leon GRAFTON

Bennett, Travis Ingbretson, Paul

Johnson, Eric Darrow, Stephen

HILLSBOROUGH

Adams, Christopher Burt, John Edwards, Elizabeth Hopper, Gary Parison, James Shaw, Barbara

Boehm, Ralph Ammon, Keith Cote, David Byron, Frank Gould, Linda Fromuth, Bart Murphy, Keith Jack, Martin Christie, Rick Sanborn, Laurie Zaricki, Nick Simmons, Tammy

Bouldin, Amanda Eastman, Eric Hansberry, Daniel Long, Patrick Scontsas, Lisa

Hull, Robert

MERRIMACK

Bartlett, Christy McGuire, Dan Marple, Richard Brewster, Michael Horn, Werner Moffett, Howard

McGuire, Carol Frazer, June Rogers, Katherine

Long, Douglas Karrick, David

ROCKINGHAM

Abramson, Max Francese, Paula Hodgdon, Bruce Osborne, Jason True, Chris

Bates, David Gannon, William Itse, Daniel Gordon, Pamela Cook, Allen Green, Dennis Sweeney, Joe Gordon, Richard Cushing, Robert Harris, Jeffrey Kappler, Lawrence Schroadter, Adam

STRAFFORD

Burton, Wayne Jones, Laura Treleaven, Susan DeLemus, Susan Kaczynski, Thomas Groen, Warren Turcotte, Leonard Hannon, Joseph Rollo, Deanna

SULLIVAN

Converse, Larry

Rollins, Skip

and the motion was adopted.

Rep. Hurt did not vote and notified the Clerk that he wished to be recorded in favor.

HB 1375, relative to deliberative sessions in political subdivisions that have adopted official ballot voting. (Amendment printed SJ 5/12/16)

Rep. James Belanger moved that the House nonconcur, spoke in favor and yielded to questions.

Rep. Ammon spoke against.

On a division vote, with 204 members having voted in the affirmative, and 80 in the negative, the motion was adopted.

HB 1237, establishing a committee to study the establishment of a conflict management and resolution system for parents and children. (Amendment printed SJ 5/5/16)

Rep. Gargasz moved that the House concur and spoke in favor.

Motion adopted.

HB 1651, relative to the duties of the commission to review child abuse fatalities. (Amendment printed SJ 5/5/16)

Rep. Gargasz moved that the House concur and spoke in favor.

Motion adopted.

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency. (Amendment printed SJ 5/12/16)

Rep. Tholl moved that the House concur and spoke in favor.

On a division vote, with 154 members having voted in the affirmative, and 115 in the negative, the motion was adopted.

HB 1144-L, relative to notice for sessions of correction of the check list. (Amendment printed SJ 5/12/16) Rep. Hoelzel moved that the House concur and spoke in favor. Motion adopted.

HB 1246-FN, relative to speech-language assistants. (Amendment printed SJ 4/21/16) Rep. Andrew Christie moved that the House concur and spoke in favor. Motion adopted.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account. (Amendment printed SJ 5/5/16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

On a division vote, with 143 members having voted in the affirmative, and 121 in the negative, the motion was adopted.

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Amendment printed SJ 5/12/16) Rep. Kotowski moved that the House concur and spoke in favor. Motion adopted.

HB 1531, permitting the legislature to open the state house on weekends. (Amendment printed SJ 4/21/16) Reps. Hinch and Kurk moved that the House concur.

Rep. Hinch spoke in favor.

Motion adopted.

Hunt, John

Pearson, William

Shepardson, Marjorie

HB 430, relative to allowing towns and cities to adopt a property tax credit which extends the current veterans' property tax credit to all honorably discharged veterans. (Amendment printed SJ 4/28/16) Rep. James Belanger moved that the House concur and spoke in favor and yielded to questions. Motion adopted.

HB 1395, relative to municipal electronic records. (Amendment printed SJ 5/12/16) Rep. James Belanger moved that the House concur and spoke in favor. Motion adopted.

HB 1298, relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county. (Amendment printed SJ 5/5/16)

Reps. Chris Christensen and Rowe moved that the House concur.

Rep. Chandler spoke in favor and yielded to questions.

Ley, Douglas

Phillips, Larry

Tatro, Bruce

Rep. Burt spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 87

YEAS - 199 BELKNAP

Mann, John

Weber, Lucy

Robertson, Timothy

Parkhurst, Henry

Sad, Tara

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Gallagher, Brian
		CARROLL	
Avellani, Lino McCarthy, Frank Ticehurst, Susan	Buco, Thomas McConkey, Mark Umberger, Karen	Chandler, Gene Nelson, Bill	Crawford, Karel Schmidt, Stephen
	(CHESHIRE	
Abbott, Michael Chase, Cynthia	Ames, Richard Eaton, Daniel	Berch, Paul Emerson, Susan	Bordenet, John Johnsen, Gladys

COOS

Fothergill, John
Rideout, Leon

Froburg, Alethea
Theberge, Robert

Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Hennessey, Erin
Ford Susan
Gionet Edmond
Higgins, Patricia
Ladd, Rick

Abel, Richard Almy, Susan Bennett, Travis
Ford, Susan Gionet, Edmond Higgins, Patricia
Maes, Kevin Massimilla, Linda Nordgren, Sharon
Brown, Rebecca Smith, Suzanne Sykes, George

HILLSBOROUGH

Backus, Robert Griffin, Barbara Beaulieu. Jane Barry, Richard Coffey, James Roberts, Carol Forest, Armand Danielson, David Gorman, Mary Gargasz, Carolyn Harvey, Suzanne Hansberry, Daniel Jack, Martin Belanger, James Leishman, Peter Ober, Lynne Marston, Dick Manley, Jonathan Palmer, Barry McCarthy, Peggy Pierce, David Porter, Marjorie Rowe, Robert Rosenwald, Cindy Snow, Kendall Shaw, Barbara Twombly, Timothy Smith, Timothy Woodbury, David

ackus, Robert Balcom, John
eaulieu, Jane Biggie, Barbara
coffey, James Cote, David
brest, Armand Freitas, Mary
corman, Mary Guerette, C. Lee
arvey, Suzanne Heath, Mary
ack, Martin Kurk, Neal
eishman, Peter
larston, Dick McClarren, Donald
almer, Barry Pellegrino, Anthony
orter, Marjorie Proulx, Mark
towe, Robert Scontsas, Lisa
soucy, Timothy
Williams, Kermit

Baroody, Benjamin Christensen, Chris Sullivan, Daniel Gagne, Larry Haefner, Robert Hinch, Richard Christiansen, Lars Mangipudi, Latha Brown, Pamela Peterson, Ken Ober, Russell Shattuck, Gilman Souza, Kathleen Wolf, Terry

Piper, Wendy

MERRIMACK

Alicea, Caroletta Rice, Chip Hirsch, Geoffrey Kotowski, Frank Moffett, Howard Schuett, Dianne French, Barbara Carson, Clyde Frazer, June Kuch, Bill Ratzki, Mario Shurtleff, Stephen Bartlett, Christy Gile, Mary Karrick, David Luneau, David Rogers, Katherine Walsh, Thomas

Bradley, Paula Henle, Paul Kenison, Linda MacKay, James Saunderson, George Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Borden, David Cushing, Robert Edgar, Michael Ward, Gerald Sweeney, Joe Griffin, Mary McBeath, Rebecca Pantelakos, Laura Sytek, John Abrami, Patrick Cahill, Michael Devine, James Chase, Francis Heffron, Frank Katsakiores, Phyllis Major, Norman Milz, David Peckham, Michele Webb, James Azarian, Gary
Cali-Pitts, Jacqueline
DiFranco, Debbie
Rice, Frederick
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John
Gordon, Pamela
Potucek, John
Weyler, Kenneth

Berrien, Skip
Cardon, G. Thomas
Doucette, Fred
Francese, Paula
Introne, Robert
Lovejoy, Patricia
Matthews, Carolyn
Packard, Sherman
Sherman, Thomas
Woitkun, Steven

STRAFFORD

Baber, William Cilley, Jacalyn Smith, Marjorie Southworth, Thomas Wall, Janet Bickford, David Gray, James Mullen, John Sprague, Dale Bixby, Peter Horrigan, Timothy Schmidt, Peter Treleaven, Susan Burton, Wayne Kaen, Naida Rollo, Deanna Verschueren, James

SULLIVAN

Cloutier, John Grenier, James Converse, Larry Oxenham, Lee Gagnon, Raymond

Gottling, Suzanne

NAYS - 87 BELKNAP

Aldrich, Glen Spanos, Peter

Dumais, Russell Fraser, Valerie

Howard, Raymond

Hurt, George

Cordelli, Glenn

CHESHIRE

CARROLL

Tilton, Benjamin

McConnell, James

Darrow, Stephen

GRAFTON

Brown, Duane Ingbretson, Paul

Johnson, Eric

Hull, Robert

HILLSBOROUGH

Adams, Christopher Burt, John Edwards, Elizabeth Fromuth, Bart Hogan, Edith Murphy, Keith Christie, Rick Ulery, Jordan

Ammon, Keith Byron, Frank Estevez, Eric

Gonzalez, Carlos Hopper, Gary Notter, Jeanine Rouillard, Claire

Boehm, Ralph Cohen, Alan Ferreira, Elizabeth Gould, Linda

LeBrun, Donald Ohm, Bill

Bouldin, Amanda Eastman, Eric Flanagan, Jack Hansen, Peter McLean, Mark

Parison, James

Simmons, Tammy

Sanborn, Laurie Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Seaworth, Brian

McGuire, Carol Horn, Werner

Baldasaro, Alfred

Thomas, Douglas

Sullivan, Victoria

Long, Douglas Marple, Richard McGuire, Dan Martin, John

ROCKINGHAM

Abramson, Max Cook, Allen Gannon, William Hodgdon, Bruce Prudhomme-O'Brien, Katherine

Green, Dennis Itse, Daniel Gordon, Richard Bates, David Duarte, Joe Guthrie, Joseph Kappler, Lawrence

Schroadter, Adam

Chirichiello, Brian Emerick, J. Tracv Harris, Jeffrey Osborne, Jason True, Chris

STRAFFORD

Cheney, Catherine Hannon, Joseph Turcotte, Leonard

DeLemus, Susan Jones, Laura Leeman, Don

Graham, Robert Kaczynski, Thomas Wuelper, Kurt

Groen, Warren Knowles, Robert

SULLIVAN

Irwin, Virginia Laware, Thomas and the motion was adopted.

HB 1461, relative to the definition of and criteria for protection instream flow. (Amendment printed SJ 5/12/16)

Rep. Chris Christensen moved that the House concur and spoke in favor. Motion adopted.

HB 1595-FN, relative to the rivers management and protection program. (Amendment printed SJ 5/12/16)

Rep. Chris Christensen moved that the House concur and spoke in favor. Motion adopted.

HB 297, protecting individual customer data from disclosure by a public utility. (Amendment printed SJ 5/12/16)

Rep. Introne moved that the House concur and spoke in favor. Motion adopted.

HB 1186, relative to coasting of vehicles. (Amendment printed SJ 5/5/16) Rep. Thomas Walsh moved that the House concur and spoke in favor. Motion adopted.

HB 1271, making certain length and width exemptions concerning commercial vehicles and relative to signs advising motorists approaching emergency vehicles in the breakdown lane. (Amendment printed SJ 5/12/16)

Rep. Thomas Walsh moved that the House concur and spoke in favor.

Motion adopted.

HB 1430-FN, relative to operation of compact utility tractors. (Amendment printed SJ 5/5/16) Rep. Thomas Walsh moved that the House concur and spoke in favor. Motion adopted.

ADJOURN FROM THE EARLY SESSION

RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time and when the House adjourns today it be to meet Wednesday, June 1, 2016 at 10:00 a.m.

Motion adopted.

UNANIMOUS CONSENT

Rep. Burt requested Unanimous Consent of the House regarding Hot Dog Day and addressed the House. Rep. Cushing requested Unanimous Consent of the House regarding Marilla Ricker and addressed the House.

Rep. Ohm requested Unanimous Consent of the House regarding Andrew Jackson and addressed the House.

Rep. Pamela Brown requested Unanimous Consent of the House regarding Lyme Disease Awareness Month and addressed the House.

MOTION TO PRINT REMARKS

Rep. Kurk moved that the remarks made by Rep. Cushing during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Cushing: Thank you, Mr. Speaker. I just want to say a few remarks about my most favorite Republican of all time. That would be Marilla Marks (Young) Ricker. It was 147 years ago this week that there was a gathering in New York City that was called by Elizabeth Cady Stanton and Susan B. Anthony. The purpose of that meeting was to found what was the National Woman Suffrage Association and that was the organization that for the next 50 years pressed across this country to gain the franchise the right to vote for women. One of the people who was at that meeting, the person who attended on behalf of New Hampshire, was a woman named Marilla Marks (Young) Ricker. She was born in New Durham, was educated at Colby Sawyer College and went on to become an elementary school teacher. In 1869, when she was at that meeting, she was 29 years old. She came back to her homestead in Dover and kind of began her own personal campaign to gain the franchise for women. She sent a letter to the selectmen of the Town of Dover in 1870 that said, "I come before you to declare that my sex is entitled to the inalienable right to life, liberty and the pursuit of happiness. I ask the right to pursue happiness by having a voice in that government to which I am accountable. Our form of government is supposed to emanate from the people and whatever control it possesses over the people, it is supposed to be exercised by and with their consent. I, and others of my sex, find ourselves controlled by a form of government, in the inauguration of which, we had no voice and in whose administration we are denied the right to participate, though we are a large part of the people of this country. So long as women are hanged under the laws, they should have a voice in making them." She had to pay property taxes, like everybody else, and when she went to the town clerk that year in 1870, she presented a little letter that said, "Taxation without representation is tyranny. I hereby protest against the injustice of being compelled to pay taxes without having a vote to protect my property. If taxation without representation was tyranny before the revolutionary way, it is tyranny today. I shall protest against paying taxes so long as I have no voice in making the laws." For the next 50 years, every time Marilla Marks Ricker paid her property

tax, she presented that protest to the officials of the Town of Dover. Marilla went on to have a more expansive life. She was the 9th woman to be admitted to practice before the United States Supreme Court. She was the first woman from New Hampshire to be recognized as a lawyer. In a seminal case in 1890, she brought a suit against the New Hampshire Bar Association, against the State of New Hampshire, because she was not allowed to practice law because of her gender. In a real famous case that's called the Petition of Ricker, the New Hampshire Supreme Court decided that actually being a woman was not a bar to being able to practice law in the state. She opened the door for every woman who practices law in the State of New Hampshire to pursue that profession. She also was the first person, in 1870; she decided that she wanted to vote. She showed up on Election Day and asked for a ballot, was given a ballot, cast the ballot, but the ballot was not counted. But, what that action was, Marilla Ricker was the first woman in the United States to cast a vote. She was the first person to run for Congress in the State of New Hampshire, the first woman to run for Congress. She was the first woman in the country to apply to be an Ambassador, a US Ambassador and in 1910; she decided that she was about ready to run for Governor of the State of New Hampshire. She came and she applied to the Secretary of State's office, paid her \$100, but the then Secretary of State refused to accept her request to be placed upon the ballot. She did, however, gain 4 votes and those are the first votes that are recorded as a vote for women in the State of New Hampshire for Governor. She lived long enough to see the 19th Amendment passed and to see women be granted the right to vote. Kind of a cap on to a 50-year campaign. Now, as we live in a state where we've had the experience of women running the state, they are all in a sense really daughters of Marilla Ricker. Last Monday, there was a portrait that was unveiled in the entranceway by where the Governor comes into the State House. It was a portrait of Marilla Ricker. It was done recently and 19 years ago, this House and the Senate, passed a resolution calling for a portrait to be hung there so that when every fourth grader and every other person who comes into this State House can see a woman whose pioneering efforts helped elevate all of us, helped to make it possible to have a more perfect democracy. I just want to stand here and say on behalf of myself, say on behalf of everybody, to Marilla Ricker, "Welcome to the State House. It's good to have you here." Thank you.

MOTION TO PRINT REMARKS

Rep. Dan McGuire moved that the remarks made by Rep. Ohm during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Ohm: Thank you, Mr. Speaker. Since the founding of our great republic, there has been constant debate about how to interpret the constitution. For guidance, I would like to quote the remarks of President Andrew Jackson's veto message to Congress on July 10, 1832. "The Congress, Executive and the Court must each for itself be guided by its own interpretation, its own opinion of the constitution. Each public officer who takes an oath to support the constitution swears that he will support it as he understands it and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is with the supreme judges where it might be brought to them for judicial decisions. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges. In that point, the President is independent of both. The authority of the Supreme Court must not therefore be permitted to control the Congress or the Executive when acting in their legislative capacities but have only such influence as the force of their reasoning may deserve." Mister Speaker, I submit that the same principles apply to this body today just as it did to Congress in President Jackson's time. Thank you, Mister Speaker.

RECESS MOTION

Rep. Hoelzel moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports. Motion adopted.

The House recessed at 3:25 p.m.

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 645, 1138, 1147, 1148, 1161, 1198, 1267, 1268, 1269, 1305, 1353, 1391, 1415, 1426, 1453, 1468, 1482, 1490, 1624, 1628 and 1664 and Senate Bills numbered 59, 306, 308, 381, 394, 403, 416, 420, 423, 436, 452, 468, 477, 478, 494, 509, 510, 512, 534, 536, 538 and 550.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGE

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 114, establishing beer specialty licenses and relative to rectifiers.

The President appointed Sens. Prescott, Stiles and Soucy.

HB 280, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans. The President appointed Sens. Daniels, Birdsell and Feltes.

HB 533, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.

The President appointed Sens. Reagan, Daniels and Soucy.

HB 602-FN, relative to the use of drones.

The President appointed Sens. Carson, Daniels and Lasky.

HB 605-FN, relative to mandatory minimum sentences.

The President appointed Sens. Carson, Daniels and Lasky.

HB 668-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

The President appointed Sens. Bradley, Sanborn and D'Allesandro.

HB 1182-FN, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

The President appointed Sens. Bradley, Forrester and Hosmer.

HB 1193, relative to the wellness and primary prevention council and relative to certification of school nurses.

The President appointed Sens. Carson, Cataldo and Woodburn.

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

The President appointed Sens. Bradley, Little and D'Allesandro.

HB 1301, relative to the issuance of youth employment certificates.

The President appointed Sens. Reagan, Cataldo and Soucy.

HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

The President appointed Sens. Prescott, Birdsell and Pierce.

HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

The President appointed Sens. Bradley, Prescott and Pierce.

HB 1377, relative to receipt of absentee ballots.

The President appointed Sens. Birdsell, Stiles and Lasky.

HB 1396, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. The President appointed Sens. Stiles, Daniels and Feltes.

HB 1404-FN, relative to certain positions in the insurance department.

The President appointed Sens. Reagan, Cataldo and Soucy.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.

The President appointed Sens. Forrester, Morse and D'Allesandro.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

The President appointed Sens. Forrester, Little and D'Allesandro.

HB 1547-FN, prohibiting bestiality.

The President appointed Sens. Carson, Daniels and Pierce.

HB 1584-FN, relative to body-worn cameras for law enforcement officers.

The President appointed Sens. Carson, Daniels and Lasky.

HB 1590-FN-A-L, relative of taxation of short-term rentals.

The President appointed Sens. Sanborn, Hosmer and Little.

HB 1637-FN, relative to school attendance in towns with no public schools.

The President appointed Sens. Bradley, Reagan and Watters.

HB 1656-FN, relative to exceptions to the real estate transfer tax.

The President appointed Sens. Boutin, Sanborn and D'Allesandro.

HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

The President appointed Sens. Bradley, Avard and Feltes.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. The President appointed Sens. Prescott, Daniels and Pierce.

HB 1695-FN, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports.

The President appointed Sens. Boutin, Sanborn and Fuller Clark.

HB 1697-FN, relative to the operation and insurance of transportation network companies. The President appointed Sens. Stiles, Little and Soucy.

HB 2016, relative to the state 10-year transportation improvement program.

The President appointed Sens. Stiles, Daniels and Watters.

REFUSES TO ACCEDE TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1385-FN-A, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENT

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. (Amendment printed SJ 5/19/16) Motion adopted.

SENATE MESSAGES CONCURRENCE

- SB 127-FN, relative to the appointment of special Medicaid representatives.
- SB 210-FN, relative to regulation of septic system evaluators.
- SB 300, revising banking, credit union, and trust laws.
- SB 329, revising the nurse licensure compact.
- SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.
- SB 339-FN, relative to required DNA analysis for certain offenses.
- SB 361, banning the sale and possession of synthetic urine and urine additives.
- SB 363, relative to OHRVs and snowmobiles held by a trust.
- SB 364, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program.
- SB 379, relative to additional tests to determine alcohol concentration.
- SB 383, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network.
- SB 387, relative to the disposition of ward accounts.
- SB 405, making changes to the limited liability companies statutes.
- SB 406-FN, relative to classification of certain state employee positions and relative to the liquor commission.
- SB 418, adding National Guard members to the absentee voting laws and relative to enrollment of laws.
- SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis.
- SB 424-FN, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor.
- SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs.
- SB 431, relative to data submission by insurers.
- SB 437, establishing a commission to address child hunger in New Hampshire.
- SB 438, relative to the aesthetic maintenance of highways.
- SB 440-FN, extending the date of the repeal of certain fees in the shoreland protection act.
- SB 444-FN, relative to lottery retailer incentive awards.
- SB 458-FN, relative to reporting by political committees and relative to agreements to share voter information with other states.
- SB 464-FN-A, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account.
- SB 480-FN-A, relative to the historical fund.
- SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities.
- SB 483-FN, establishing the position of chartered public school program officer in the department of education.
- SB 487, relative to missing vulnerable adults.
- SB 489, authorizing a demonstration project using a Stirling engine system.
- SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants.
- SB 515-FN, relative to the child protection act.
- SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.
- SB 530-FN, establishing a commission to study volunteer health care services.
- SB 532-FN, relative to prior authorization for substance use treatment.
- SB 549-FN relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission.
- SB 553, relative to implementation of the Medicaid managed care program.

NONCONCURRENCE

SB 449, relative to weekly payment of workers' compensation benefits.

RECESS

(Rep. Suzanne Smith in the Chair) ENROLLED BILL AMENDMENTS

HB 356, establishing a commission to study cryptocurrency regulation.

Amendment 2016-1987EBA

Amend RSA 399-G:25, II(a) as inserted by section 1 of the bill by replacing lines 2 and 3 with the following:

appointed by the speaker of the house of representatives, one member from the commerce and consumer affairs committee appointed by the chairperson of the commerce and consumer affairs committee, and one member of the ways

Amend RSA 399-G:25, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The director of the bureau of securities regulation, or designee. Motion adopted.

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife.

Amendment 2016-1992EBA

Amend section 1 of the bill by replacing it with the following:

1 Title. This act shall be known as the "Hunters Hearing Protection Act." Motion adopted.

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual.

Amendment 2016-1990EBA

Amend RSA 162-R:1 as inserted by section 2 of the bill by replacing line 1 with the following: 162-R:1 Definitions. In this chapter:

Amend RSA 162-R:3, II as inserted by section 2 of the bill by replacing line 1 with the following: II. The site evaluation committee shall determine whether the application is complete, and shall

proceed to Motion adopted.

HB 1105, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

Amendment 2016-1991EBA

Amend section 4 of the bill by replacing line 1 with the following:

4 Chairperson. The members of the study committee shall elect a chairperson from Motion adopted.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding.

Amendment 2016-2000EBA

Amend RSA 540:13-c, II(b) as inserted by section 1 of the bill by replacing line 2 with the following: of the date that the final payment under the agreement established under this paragraph is Motion adopted.

HB 1210, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions.

Amendment 2016-2004EBA

Amend section 8 of the bill by replacing lines 2-3 with the following:

RSA 541-A within 180 days of the effective date of this act to implement the authority established in RSA 420-J:7-b, X and RSA 415:26 of this act.

Motion adopted.

HB 1293, relative to the procedure for charter amendments.

Amendment 2016-1980EBA

Amend RSA 49-B:5, I as inserted by section 1 of the bill by replacing line 2 with the following: charter are necessary and *shall*, by order, provide for notice and hearing on them [in the same Amend the introductory paragraph of RSA 49-B:5, II as inserted by section 2 of the bill by replacing line 4 with the following:

municipal charter be placed on a ballot in accordance with the procedures set out [below] in paragraphs

Motion adopted.

HB 1303, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.

Amendment 2016-1995EBA

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. Section 2 of this act shall take effect November 1, 2017.

Motion adopted.

HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds.

Amendment 2016-2006EBA

Amend RSA 487:16-d, I as inserted by section 4 of the bill by replacing line 1 with the following:

I. When leaving waters of the state, a person shall drain his or her boat and other water-related Motion adopted.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 466, 582, 659, 1212, 1264, 1357, 1486 and 1588 and Senate Bills numbered 341, 368, 375 and 544. Rep. Hinch, Sen. Prescott for the Committee

HB 1354, establishing a committee to study livestock and meat inspection.

Amendment 2016-1984EBA

Amend section 4 of the bill by replacing line 1 with the following:

4 Chairperson; Meetings. The members of the study committee shall elect a chairperson from Motion adopted.

SB 376-FN, relative to wildlife corridors. (Amendment printed SJ 5/19/16) Motion adopted.

SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Amendment printed SJ 5/19/16) Motion adopted.

SB 481-FN, relative to a special health care service license and making an appropriation therefor. (Amendment printed SJ 5/19/16)
Motion adopted.

SB 488-FN-L, establishing an advisory council on lactation. (Amendment printed SJ 5/19/16) Motion adopted.

SB 450, relative to investments by insurance companies. (Amendment printed SJ 5/19/16) Motion adopted.

SB 500-FN, relative to student health insurance plans. (Amendment printed SJ 5/19/16) Motion adopted.

RECESS

(Rep. Packard in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 356, 1172, 1237, 1354, 1423, 1680 and 1681 and Senate Bills numbered 417, 418, 467, 481, 489, 539 and 553.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENT

SB 345, relative to the definition of agritourism. (Amendment printed SJ 6/1/16) Motion adopted.

CONFEREE CHANGES

HB 114, establishing beer specialty licenses and relative to rectifiers.

Rep. Hurt replaced Rep. Tucker.

Rep. Williams replaced Rep. Abel.

HB 285, relative to discussion with legal counsel under the right-to-know law.

Rep. Hagan replaced Rep. Rowe.

HB 533, relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.

Rep. Daniel Sullivan replaced Rep. Gagnon.

Rep. Proulx replaced Rep. Parker.

HB 602-FN, relative to the use of drones.

Rep. Hansberry replaced Rep. Parker.

Rep. Gagnon replaced Rep. Hansberry.

HB 606-FN-L, relative to costs for public records filed electronically.

Rep. Hagan replaced Rep. Rowe.

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

Reps. Hinch and Packard replaced Reps. Tucker and Biggie.

HB 1301, relative to the issuance of youth employment certificates.

Rep. Murphy replaced Rep. Flanagan.

Rep. Simpson replaced Rep. Ley.

HB 1396, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. Rep. Sykes replaced Rep. Soucy.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

Rep. Ames replaced Rep. Rosenwald.

Rep. Lovejoy replaced Rep. Ames.

Rep. Major replaced Rep. Lovejoy.

HB 1656-FN, relative to exceptions to the real estate transfer tax.

Rep. Major replaced Rep. Hess.

HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

Rep. Baber replaced Rep. Wall.

Rep. Packard replaced Rep. Baber.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation.

Rep. Kotowski replaced Rep. LeBrun.

Rep. Weber replaced Rep. MacKay.

HB 1697-FN, relative to the operation and insurance of transportation network companies. Rep. Sykes replaced Rep. Packard.

SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts.

Rep. Weber replaced Rep. Shurtleff.

SB 203-FN, relative to review of eligibility for workers' compensation.

Rep. Packard replaced Rep. Simmons.

Rep. Chandler replaced Rep. Seaworth.

Rep. Hinch replaced Rep. Infantine.

SB 305, relative to the brew pub license.

Rep. Williams replaced Rep. Abel.

SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees. Rep. Peter Schmidt replaced Rep. Stephen Schmidt.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

Rep. Potucek replaced Rep. Cilley.

Rep. Matthews replaced Rep. Andrew Christie.

Rep. McConnell replaced Rep. Suzanne Smith.

Rep. Suzanne Smith replaced Rep. McConnell.

SB 391, relative to annulment of certain misdemeanor offenses and relative to the annulment of offenses occurring between May 14, 2014 and July 1, 2015.

Rep. Hirsch replaced Rep. DiSesa.

SB 402, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

Rep. Rowe replaced Rep. Hopper.

SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

Rep. Seaworth replaced Rep. Infantine.

SB 471-FN, relative to parking for persons with disabilities.

Rep. Ford replaced Rep. Sykes.

SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. Chandler replaced Rep. Rosenwald.

SB 496-FN, relative to personal care attendant services.

Rep. Weber replaced Rep. MacKay.

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

Rep. Snow replaced Rep. Sherman.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.

Motion adopted.

HOUSE JOURNAL NO. 15

Wednesday, June 1, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of many names but one light, You give us the light of life in countless ways. You bathe us in sunlight and You brighten our nighttime path with moonbeams. The stars You scattered in the heavens astound us with their number, their intensity, and the patterns they create. As we stand on the brink of summer, ready to welcome the long, hot days, inspire us to notice Your gift of light in all its forms: darting fireflies in the dusk; fireworks that explode and cascade through the July sky; campfires reflecting in the faces of friends and loved ones; and brilliant zigzags of lightening that herald a storm. Today, as we grieve with our sister Representative, Rebecca Brown and the loss of her husband, Harry, we also give You thanks for brightening our lives with the presence of loved ones and warming our hearts with memories of those who have gone before us. And now as we enter summer's slower pace, as time and space opens up in our busy lives, help us to appreciate Your many gifts of light. Open our eyes and our hearts to dazzling smiles that speak of pure joy; enlighten our minds with new discoveries and ideas; and inspire us to be a guiding, comforting, life-giving light to others - so that, together, we can set the world on fire with the flame of Your love. Amen.

Representative Hill, member from Northfield, led the Pledge of Allegiance.

The member from Windham, Representative Mary Griffin, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Allen, Ronald Belanger, Bridge, Chris Brown, Bush, Comtois, Cornell, Kellogg, Priestley, Rappaport and Sanders, the day, illness.

Reps. Baldasaro, Francis Chase, Coffey, Fisher, Hansen, Hodgdon, Kolodziej, O'Neil, Oligny, Scontsas, Timothy Smith, Spillane, Daniel Sullivan, Victoria Sullivan and Tamburello, the day, important business. Rep. Tucker, the day, illness in the family.

Rep. Rebecca Brown, the day, death in the family.

INTRODUCTION OF GUESTS

Grant Compitello, student from Bedford, Page for the day.

Jim McCoole, guest of Rep. Sylvia. Theresa Swanick, guest of Rep. Rosenwald. Eric Merklein, husband of Rep. Sad. Terri Kappler, wife of Rep. Kappler. Dale and Jacob McConkey, sons of Rep. McConkey. Michael, Olivia, and Johan French, son and grandchildren of Rep. Barbara French. Students from Mountain Shadows School, guests of Reps. Ley, Sterling and Ames. Students from Merrimack Middle School, guests of the Merrimack Delegation. Polly Campion and Mary Jane Mulligan, guests of Reps. Nordgren, Higgins and Hennessey.

COMMUNICATION

Timothy Soucy 33 Gillis Street Nashua, NH 03060 May 25, 2016

Dear Mr. Speaker:

Due to my impending relocation to the City of Concord, I am resigning my seat in Nashua Ward 7, District 34 effective immediately.

Respectfully Submitted, Timothy Soucy

COMMUNICATION

Mister Speaker, Honorable House Clerk, and colleagues in the NH House of Representatives: It is with a great deal of sadness that I must tender my resignation from the office of State Representative. As you know, I have represented the District of Strafford 23, comprising Wards 2 and 3 from the City of Rochester, since December 3, 2014.

It has been a great honor to be able to speak on behalf of the people of my District, and I owe them a debt of gratitude for having elected me to this office...an office that I originally did not want to seek! During the last 2 years, it has been an honor to work with the great people who I have had the good fortune to know in the House Ways and Means Committee. I have learned much from them, and hope to work with them once again if I am elected by the people in the ward into which I will be establishing my domicile.

This resignation will be effective immediately upon acceptance by the NH House or by the Office

of the Speaker.

Sincerely, Don E. Leeman Strafford 23

COMMUNICATION

Email dated June 1, 2016

Mr. Speaker,

It is with mixed emotions that I tender you this letter of resignation. It saddens me that I will be unable to complete my entire term here at the New Hampshire State House but I leave feeling more optimistic than ever with the knowledge that this great State is in such capable hands. While finances have prompted my move today, they do not suppress my desire to return as a colleague. It is my hope that the voters of Keene feel the same and send me back to this esteemed body next November so that we can continue our work towards a better Granite State!

"Live free or die: Death is not the worst of evils."

Rep. William A. Pearson, Election Law

NH House of Representatives

LOB, Room 308

33 North State Street

Concord, NH

william.pearson@leg.state.nh.us

UNANIMOUS CONSENT

Rep. Barbara French requested Unanimous Consent of the House regarding her last term and addressed the House.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Barbara French during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Representative French: Thank you, Mister Speaker and colleagues. This is my last Session. I am retiring after 24 years of service. I'd like to make a few comments and observations. Government is of the people, by the people and for the people. The United States Constitution tells us, among other things, to promote the general welfare. The New Hampshire Constitution also tells us that all government is an institution for the common good. I am well acquainted with mental health. While a student at UNH, I worked two summers as an aide on a geriatric ward at New Hampshire Hospital. It was a wonderful experience. After graduating from Cornell University, New York Hospital School of Nursing, I worked for three years at the hospital and then returned to New Hampshire. I worked as a staff nurse and then as an instructor in the affiliate nursing program at New Hampshire Hospital. I remember in the 1980s when the patients were all discharged from New Hampshire Hospital and New Hampshire was to develop a community-based system of care. We didn't and were taken to court. We created an excellent system of care which is one of the best in the country and people came from all over to learn about it. Funding became an

issue and we were taken back to court. We again developed a system of care, the court accepted it and we are in the process of trying to implement it and we need to stay at it. There were some accomplishments. We passed expanded Medicaid and this Session we renewed our support. This is a significant accomplishment as about 50,000 people now have health care who either had no health insurance or inadequate coverage. Their lives have been improved, the hospitals have greatly reduced uncompensated care and the insurance companies are insuring many more people in the state. Is it perfect? No. After losing school nurse certification 50 years ago, it is now reinstated. This means better quality house services for our students. When I entered the legislature in 1992, it didn't matter what party we were. We all worked together as we knew what we were elected to do; the people's business. We didn't always agree, but we got the job done. Ever since I've been here we've had a structural deficit and New Hampshire should finally realize we have a revenue problem, not a spending problem. New Hampshire is a wonderful state. We have a lot of hard-working, caring people who deserve to have their needs met. I have hope that we can turn the situation around as; we too, are caring people. I did not come to the legislature to win a popularity contest, but to help our people in the state. It has been an honor and privilege to represent Henniker and Bradford. I have passed legislation that commits New Hampshire to primary prevention. I have made many good friends. I shall miss this place. Best wishes to everyone.

AMENDMENT TO HOUSE RULES

Reps. Hinch and Shurtleff moved the adoption of an amendment to House Rules, as proposed by the Rules Committee and printed in Calendar 33A, to amend House Rule 35 (b) adding the following two lines:

"Failure of a member to engage in mediation may result in legislation not being filed. If mediation is not successful between members, the Speaker shall be the ultimate arbiter in deciding which bill will be filed."

Rep. Hinch spoke in favor.

On a division vote, with 243 members having voted in the affirmative, and 74 in the negative, the motion was adopted by the necessary two-thirds vote.

MOTION TO SUSPEND HOUSE RULES

Reps. Hinch and Shurtleff moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to changing certain study committee reporting dates, and if said bill passes, to allow immediate third reading. Motion adopted by the necessary two-thirds vote.

RESOLUTION

Reps. Hinch and Shurtleff offered the following: RESOLVED, that late introduction having been approved by a two-thirds vote of the House, House Bill numbered 1702 shall be by this resolution read a first and second time by the therein listed title. Motion adopted.

INTRODUCTION OF HOUSE BILL

First and second reading

HB 1702, changing certain study committee reporting dates.

CONSIDERATION OF HOUSE BILL 1702

Rep. Hinch moved Ought to Pass. Motion adopted.

RESOLUTION

Reps. Hinch and Shurtleff moved that House Bill 1702 be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time. Motion adopted.

Third Reading and Final Passage

HB 1702, changing certain study committee reporting dates.

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS COMMITTEE OF CONFERENCE REPORT ON SB 4

Committee of Conference Report on SB 4, relative to eligibility to vote and relative to availability of voter information.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing sections 1-3 with the following:

1 Voter; Domicile. Amend RSA 654:1, I to read as follows:

- I.(a) Every inhabitant [of the state], having [a single] established domicile [for voting purposes] in this state for no less than 10 consecutive days before any election where the inhabitant offers to vote, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.
- (b)(1) An inhabitant's domicile for voting purposes [is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.] shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.
- (2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.
- (3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.
- (4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.
- (5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.
- (c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.
- 2 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:
- I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, less than 10 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.
- I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 10 consecutive days

before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 10 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

3 Voter Registration Form. Amend RSA 654:7, IV to read as follows:

IV.(a) [A] Standard registration application [form] forms shall be used throughout the state. The registration [form] forms shall be no larger than 8 1/2 inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, *transfers*, *or updates* other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

____NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

g		
Date		
	VOTER REGISTRATION	FORM
(Please print or type)		
1. Name		
Last	(suffix) First	Full Middle Name
2. Domicile Address		
	Street	Ward Number
Town or City		Zip Code
3. Mailing Address if different	nt than in 2	
		Street
Town or City		Zip Code
Place and Date of Birth		
	Town or City	State
Date		
	nited States? Yes No _	
If a naturalized citizen, give	name of court where and date	when naturalized
6. Place last registered to vot	e	
	Street	Ward Number
7. Name under which previous	usly registered, if different from	n above
8. Party Affiliation (if any)		
9. Driver's License Number		State
If you do not have a valid number	driver's license, provide the	last four digits of your social securi
	I am toda	y registering to vote in the city/town
	. New Hampshire.	
I understand that to vote in	this [city/town] ward/town, I	must be at least 18 years of age, I mu
be a United States citizen, an	d I must be domiciled in this I	city/town ward/town Furthermore

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.

I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

formation when registering to of imprisonment not to exceed to vote or voting is subject to (c) The secretary of strongly for voter registrations, tracelection, which shall be in sulmost NEW REGISTRATION INTERPORT TRANSFER I am registe to a new town or ward in New NAME CHANGE/ADDICHANGED my name/address	59:34, the penalty for knowingly or vote or voting is a class A misdemed one year and a fine not to exceed a civil penalty not to exceed \$5,000 ate shall prescribe the form of the vocansfers, or updates at the polling placestantially the following form: I am not registered to vote in New Hered to vote in New Hampshire and hered.	eanor with a maximum sentence \$2,000. Fraudulently registering other registration form to be used a ce on the date of a state general ampshire have moved my voting domicile
Date		
(Please print or type) 1. Name	VOTER REGISTRATION FORM G PLACE ON THE DATE OF THE S	
Last	(suffix) First	Full Middle Name
Name 2. Domicile Address		
	Street	Ward Number
Town or City 3. Mailing Address if differen Street	at than in 2	Zip Code
Town or City 4. Place and Date of Birth		Zip Code
	Town or City	State
Date	,	
5. Are you a citizen of the Ur	nited States? Yes No	
	name of court where and date when r	naturalized
6. Place last registered to vote		
	Street	Ward Number
7. Name under which previou	sly registered, if different from abov	
8. Party Affiliation (if any) _		
9. Driver's License Number _		State
If you do not have a valid number	driver's license, provide the last for	ir digits of your social security
My name is	I am today regist	ering to vote in the city/town of
	, New Hampshire.	
-	•	

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 10 consecutive days before the first election in which I intend to vote.

I understand that if I have not been domiciled in New Hampshire for at least 10 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date

Signature of Applicant

If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.

This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):

Identity	yes/no	
Citizenship	yes/no	(initials)
Age	yes/no	(initials)
Domicile	yes/no	(initials)

Applicant

Election Official

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Amend the bill by replacing section 5 with the following:

5 Statement of Purpose. The New Hampshire constitution states: "Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile." Members of the 1974 Constitutional Convention voted to make "domicile" a prerequisite for voting, rather than being an inhabitant or resident, with the intent to require a more definite and permanent qualification that preserves and promotes confidence in elections. It was deemed that a person may have multiple residences at one time, but only one domicile. The amendment to the constitution was passed during the 1976 general election; however, under the wording of our current statutes, it is difficult for the state to assert this constitutional interest in preserving the integrity, fairness, and efficiency of the election process. The Supreme Court has stated that this interest justifies the state's imposition of certain eligibility requirements for voters and has upheld the legislatures' duty to set qualifications for the equal constitutional right to be elected. A 10-day domiciliary requirement for electors provides administrative clarification while preserving and promoting voter confidence in New Hampshire's unmatched tradition of ballot access and voter participation.

The signatures below attest to the authenticity of this Report on SB 4, relative to eligibility to vote and relative to availability of voter information.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Birdsell, Dist. 19

Sen. Bradley, Dist. 3

Sen. Carson, Dist. 14

Rep. Hoelzel, Rock. 3

Rep. Schroadter, Rock. 17

Rep. Gray, Straf. 8

Rep. Gannon, Rock. 4

AMENDED ANALYSIS

This bill:

Aldrich, Glen

Shackett, Jeffrey

- I. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 10 days.
 - II. Modifies the voter registration form.
- III. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.
- Rep. Hoelzel moved that the House adopt the Committee of Conference Report.
- Rep. Burton spoke against.
- Rep. Gannon spoke in favor and requested a roll call; sufficiently seconded.

Dumais, Russell

YEAS 192 - NAYS 141

YEAS - 192 BELKNAP

Tilton, Franklin

Fields, Dennis

/ ilailoili, alloili	Darrido, Haddon	Throng Transmit	r loido, Dorinio
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
Spanos, Peter Varney, Peter	Sylvia, Michael	Fraser, Valerie	Vadney, Herbert
	C	ARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	,
	C	HESHIRE	
Emerson, Susan	Hunt, John	McConnell, James	Sterling, Franklin
		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John
	G	RAFTON	
Bailey, Brad	Brown, Duane	Darrow, Stephen	Hennessey, Erin
Johnson, Eric	Gionet, Edmond	Hull, Robert	Ladd, Rick
•	•	•	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Griffin, Barbara	Balcom, John
Barry, Richard	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Danielson, David	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Smith, Gregory	Gagne, Larry
Gould, Linda	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Belanger, James
Rice, Kimberly	Kurk, Neal	Christiansen, Lars	Ober, Lynne
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark

Almy, Susan

Higgins, Patricia

Nordgren, Sharon

Townsend, Charles

Bennett, Travis

Piper, Wendy

White, Andrew

Hennessey, Martha

House Journal June 1, 2016

Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Simmons, Tammy Souza, Kathleen Stepanek, Stephen Takesian, Charlene Twombly, Timothy Ulery, Jordan Wolf, Terry Zaricki, Nick MERRIMACK McGuire, Dan Brewster, Michael McGuire, Carol Long, Douglas French, Harold Hess, David Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kotowski, Frank Kuch, Bill Marple, Richard Martin, John Schuett, Dianne Seaworth, Brian Walsh, Thomas ROCKINGHAM Christie, Andrew Abrami, Patrick Abramson, Max Azarian, Garv Barnes, Arthur Cardon, G. Thomas Chirichiello, Brian Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne DeSimone, Debra Devine, James Doucette, Fred Duarte, Joe Elliott, Robert Emerick, J. Tracv Fesh, Robert Rice, Frederick Ferrante, Beverly Friel, William Gannon, William Green, Dennis Guthrie, Joseph Hagan, Joseph Harris, Jeffrey Hoelzel, Kathleen Introne, Robert Sweeney, Joe Ward, Joanne Kappler, Lawrence Lundgren, David Griffin, Mary Matthews, Carolyn McKinney, Betsy Major, Norman Manning, John McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Packard, Sherman Potucek, John Prudhomme-O'Brien, Katherine Osborne, Jason Belanger, Ronald Tilton, Rio Schroadter, Adam Sytek, John True, Chris Vose, Michael Webb, James Welch, David Weyler, Kenneth Woitkun, Steven STRAFFORD Beaudoin, Steven Bickford, David Cheney, Catherine Graham, Robert Grav. James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard Mullen, John Pitre, Joseph Wuelper, Kurt SULLIVAN Grenier, James Laware, Thomas Rollins, Skip Smith, Steven **NAYS - 141** CARROLL Buco, Thomas Butler, Edward Ticehurst, Susan CHESHIRE Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul Chase, Cynthia Eaton, Daniel Johnsen, Gladys Bordenet, John Roberts, Kris Lev. Douglas Mann, John Phillips, Larry Sad. Tara Shepardson, Marjorie Tatro, Bruce Robertson, Timothy Weber, Lucy COOS Hatch, William Moynihan, Wayne Theberge, Robert Froburg, Alethea Thomas, Yvonne GRAFTON

Cooney, Mary

Smith, Suzanne

Maes, Kevin

Ford, Susan

Massimilla, Linda

Sykes, George

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Roberts, Carol	Cohen, Alan	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Brown, Pamela	Long, Patrick	Porter, Marjorie	Walsh, Robert
Rosenwald, Cindy	Shattuck, Gilman	Snow, Kendall	Vann, Ivy
Williams, Kermit	Woodbury, David		•

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Ebel, Karen	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Shurtleff, Stephen
Wailner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Francese, Paula	Ward, Gerald	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	•	

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
and the Committee	of Conference Repor	t was adopted.	

Rep. Schuett voted Yea and intended to vote Nay.

COMMITTEE OF CONFERENCE REPORT ON SB 66

Committee of Conference Report on SB 66, relative to naming of areas of the state house complex. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Section; Joint Legislative Facilities Committee; Naming of Areas of State House Complex. Amend RSA 17-E by inserting after section 7 the following new section:

17-E:8 Naming of Areas of State House Complex. No area within the state house complex, including buildings, interior rooms, and grounds shall be named or renamed unless the proposed name is recommended for approval by the joint committee on legislative facilities and approved by both the house of representatives and the senate.

The signatures below attest to the authenticity of this Report on SB 66, relative to naming of areas of the state house complex.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14 Sen. Bradley, Dist. 3

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Packard, Rock. 5 Rep. Hinch, Hills. 21

Rep. R. Ober, Hills. 37 Rep. Weber, Ches. 1

AMENDED ANALYSIS

This bill names the lobby of the legislative office building after former speaker of the house George Roberts. This bill also requires that naming of areas of the state house complex be recommended for approval by the joint committee on legislative facilities and approved by the house of representatives and the senate.

Rep. Packard moved that the House adopt the Committee of Conference Report and spoke in favor. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 129-FN

Committee of Conference Report on SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Reagan, Dist. 17 Sen. Cataldo, Dist. 6 Sen. Soucy, Dist. 18 Rep. A. Christie, Rock. 37 Rep. Sytek, Rock. 8 Rep. Goley, Hills. 8 Rep. Hansen, Hills. 22

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 155-FN-A

Committee of Conference Report on SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

Conferees on the Part of the Senate

Sen. Reagan, Dist. 17 Sen. Carson, Dist. 14 Sen. Avard, Dist. 12 Conferees on the Part of the House

Rep. Hunt, Ches. 11 Rep. Gidge, Hills. 33 Rep. Hurt, Belk. 2 Rep. Weyler, Rock. 13

Rep. Hunt moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 203-FN

Committee of Conference Report on SB 203-FN, relative to review of eligibility for workers' compensation.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 203-FN, relative to review of eligibility for workers' compensation.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Bradley, Dist. 3
Sen. Cataldo, Dist. 6
Sen. Soucy, Dist. 18
Rep. Packard, Rock. 5
Rep. Hinch, Hills. 21
Rep. Cahill, Rock. 17
Rep. Chandler, Carr. 1

Rep. Packard moved that the House adopt the Committee of Conference Report.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 239-FN

Committee of Conference Report on SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Bradley, Dist. 3
Sen. Sanborn, Dist. 9
Sen. D'Allesandro, Dist. 20
Rep. Major, Rock. 14
Rep. Abrami, Rock. 19
Rep. Gallagher, Belk. 4
Rep. Lovejoy, Rock. 36

Rep. Major moved that the House adopt the Committee of Conference Report.

Motion adopted.

CLERK'S NOTE

The Committee of Conference report on Senate Bill 305, relative to the brew pub license, will not be taken up by the House. A member brought to my attention that they thought the report was in violation of the rules and, after reviewing current RSAs and both the House and Senate versions of the bill, the Speaker and I determined that the fee contained therein was not included in the statute being amended, had not had an affirmative vote of the House, nor had a public hearing. Thus, pursuant to House Rule 49 (j) which states in part "the House shall not accept a committee of conference report that amends any bill with a tax or fee increased, or creates a new tax or fee," the committee of conference report cannot come before the House and will have the same status of a bill that died in conference.

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D) COMMITTEE OF CONFERENCE REPORT ON SB 310

Committee of Conference Report on SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies.

Conferees on the Part of the Senate Conferees on the Part of the House Sen. Carson, Dist. 14 Rep. Andrew Christie, Rock. 37

Sen. Cataldo, Dist. 6
Sen. Soucy, Dist. 18
Rep. Sytek, Rock. 8
Rep. Hansen, Hills. 22
Rep. Peter Schmidt, Straf. 19

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 315

Committee of Conference Report on SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 313-A:1, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Shampooing, arranging, dressing, or styling the hair.

Amend the bill by deleting section 2 and renumbering the original sections 3-11 to read as 2-10. respectively.

Amend RSA 313-A:1,VI as inserted by section 2 of the bill by replacing it with the following:

VI. "Cosmetology" means arranging, dressing, curling, waving, cleansing, cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials [and], manicures, pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.

The signatures below attest to the authenticity of this Report on SB 315, relative to the regulation

of barbers, cosmetologists, estheticians, and manicurists.

Conferees on the Part of the Senate Conferees on the Part of the House Sen. Carson, Dist. 14 Rep. Sytek, Rock. 8

Sen. Cataldo, Dist. 6 Rep. Hansen, Hills, 22 Sen. D'Allesandro, Dist. 20 Rep. Proulx, Hills, 44 Rep. Cilley, Straf. 4

Rep. Sytek moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 319-FN

Committee of Conference Report on SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Carson, Dist. 14 Rep. Sytek, Rock. 8 Sen. Reagan, Dist. 17 Rep. Goley, Hills. 8 Sen. Soucy, Dist. 18 Rep. Umberger, Carr. 2

Rep. Andrew Christie, Rock. 37

Rep. Sytek moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 320

Committee of Conference Report on SB 320, relative to non-academic surveys administered by a public school to its students.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 320, relative to non-academic surveys administered by a public school to its students.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Reagan, Dist. 17 Rep. Ladd, Graf. 4 Sen. Avard, Dist. 12 Rep. Balcom, Hills. 21 Sen. Watters, Dist. 4 Rep. Cordelli, Carr. 4 Rep. Shaw, Hills, 16

Rep. Ladd moved that the House adopt the Committee of Conference Report. Rep. Eastman requested a roll call; sufficiently seconded.

YEAS 285 - NAYS 56

YEAS - 285

	I	BELKNAP	
Aldrich, Glen Flanders, Donald Spanos, Peter Varney, Peter	Dumais, Russell Gallagher, Brian Sylvia, Michael	Tilton, Franklin Howard, Raymond Fraser, Valerie	Fields, Dennis Hurt, George Vadney, Herbert
	(CARROLL	
Avellani, Lino Comeau, Ed McConkey, Mark Ticehurst, Susan	Buco, Thomas Cordelli, Glenn Nelson, Bill Umberger, Karen	Butler, Edward Crawford, Karel Parker, Harold	Chandler, Gene McCarthy, Frank Schmidt, Stephen
	C	CHESHIRE	
Tilton, Benjamin Johnsen, Gladys Parkhurst, Henry Sterling, Franklin	Chase, Cynthia Hunt, John Phillips, Larry Tatro, Bruce	Eaton, Daniel Ley, Douglas Robertson, Timothy Weber, Lucy	Emerson, Susan McConnell, James Sad, Tara
		COOS	
Fothergill, John Theberge, Robert	Moynihan, Wayne Tholl, John	Richardson, Herbert Thomas, Yvonne	Rideout, Leon
	(GRAFTON	
Almy, Susan Darrow, Stephen Gionet, Edmond Massimilla, Linda Sykes, George	Bailey, Brad Hennessey, Erin Hull, Robert Nordgren, Sharon White, Andrew	Cooney, Mary Johnson, Eric Ingbretson, Paul Shackett, Jeffrey	Brown, Duane Ford, Susan Ladd, Rick Smith, Suzanne
	HIL	LSBOROUGH	
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert

	HILLSBOROUGH		
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Barry, Richard	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Bouldin, Amanda	Burt, John	Byron, Frank
Christensen, Chris	Cohen, Alan	Cote, David	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Smith, Gregory	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Gould, Linda	Haefner, Robert	Halstead, Carolyn
Harvey, Suzanne	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Belanger, James	Jack, Martin
Jeudy, Jean	Rice, Kimberly	Kurk, Neal	Christiansen, Lars
Ober, Lynne	Lachance, Joseph	LeBrun, Donald	O'Brien, Michael
Manley, Jonathan	Marston, Dick	Martel, Andre	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Long, Patrick	McCarthy, Peggy	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Christie, Rick	Ober, Russell	Walsh, Robert	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Seidel, Carl
Shattuck, Gilman	Shaw, Barbara	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
O'Brien, William	Williams, Kermit	Woodbury, David	Zaricki, Nick

MERRIMACK

Turcotte, Alan Alicea, Caroletta McGuire, Carol Rice, Chip McGuire, Dan Doherty, David Henle, Paul Hess. David Horn, Werner Karrick, David Kotowski, Frank Kuch, Bill Martin, John Moffett, Howard Rogers, Katherine Saunderson, George Shurtleff, Stephen Walsh, Thomas

French, Barbara Carson, Clyde Ebel, Karen Hill, Gregory Kenison, Linda MacKay, James Myler, Mel Schuett, Dianne Wallner, Mary Jane Brewster, Michael Long, Douglas French, Harold Hoell, J.R. Kidder, David Marple, Richard Patten, Dick Seaworth, Brian Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cardon, G. Thomas Thomas, Douglas Doucette, Fred Ferrante, Beverly Ward, Gerald Hagan, Joseph Introne, Robert Kappler, Lawrence Major, Norman McMahon, Charles Osborne, Jason Potucek, John Schroadter, Adam Vose, Michael Woitkun, Steven

Abrami, Patrick Bates, David Chirichiello, Brian Dean-Bailey, Yvonne Duarte, Joe Fesh, Robert Gannon, William Harris, Jeffrey Itse. Daniel Lovejoy, Patricia Manning, John Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Simpson, Alexis Webb, James

Abramson, Max Berrien, Skip Cook, Allen DeSimone, Debra Emerick, J. Tracy Francese, Paula Green. Dennis Heffron, Frank Sweeney, Joe Lundgren, David Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Belanger, Ronald Sytek, John Welch, David

Azarian, Gary Cali-Pitts, Jacqueline Cushing, Robert Devine, James Rice, Frederick Friel, William Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Griffin, Mary McKinney, Betsy O'Connor, John Peckham, Michele Tilton, Rio True, Chris Weyler, Kenneth

STRAFFORD

Baber, William Burton, Wayne Gray, James Kaczynski, Thomas Smith, Marjorie Rollo, Deanna Wall, Janet Beaudoin, Steven Cheney, Catherine Groen, Warren Kaen, Naida Mullen, John Sprague, Dale Wuelper, Kurt Berube, Roger DeLemus, Susan Hannon, Joseph Knowles, Robert Schmidt, Peter Stevens, Audrey Bickford, David Graham, Robert Jones, Laura Turcotte, Leonard Pitre, Joseph Verschueren, James

SULLIVAN

Cloutier, John Laware, Thomas Gagnon, Raymond Rollins, Skip Gottling, Suzanne Smith, Steven

Grenier, James

NAYS - 56 CHESHIRE

Abbott, Michael Roberts, Kris Ames, Richard Mann, John

Berch, Paul Shepardson, Marjorie Bordenet, John

COOS

Froburg, Alethea

GRAFTON

Bennett, Travis Piper, Wendy Higgins, Patricia Townsend, Charles Hennessey, Martha

Maes, Kevin

HILLSBOROUGH

Baroody, Benjamin Freitas, Mary Katsiantonis, Thomas Porter, Marjorie Beaulieu, Jane Guerette, C. Lee Mangipudi, Latha Snow, Kendall Roberts, Carol Hansberry, Daniel McNamara, Richard Vann, Ivy DiSilvestro, Linda Heath, Mary Brown, Pamela Wolf, Terry

MERRIMACK

Bradley, Paula Hirsch, Geoffrey Frazer, June Bartlett, Christy Luneau, David

Ratzki, Mario

ROCKINGHAM

Cahill, Michael DiFranco, Debbie Edgar, Michael Borden, David Sherman, Thomas Elliott, Robert McBeath, Rebecca

STRAFFORD

DiSesa, Len Gardner, Janice Bixby, Peter Cilley, Jacalyn Treleaven, Susan Horrigan, Timothy Southworth, Thomas Spang, Judith

SULLIVAN

Schmidt, Andrew Converse, Larry Irwin, Virginia O'Hearne, Andrew

Oxenham, Lee

and the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 324

Committee of Conference Report on SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Reagan, Dist. 17 Rep. Matthews, Rock. 3 Sen. Avard, Dist. 12 Rep. Potucek, Rock. 6

Sen. Woodburn, Dist. 1 Rep. Chris Christensen, Hills. 21

Rep. McConnell, Ches. 12

Rep. Matthews moved that the House adopt the Committee of Conference Report.

Rep. Suzanne Smith spoke against. Rep. McConnell spoke in favor.

Rep. DeLemus requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 149

YEAS - 191 BELKNAP

Aldrich, Glen Dumais, Russell Tilton, Franklin Fields. Dennis Flanders, Donald Gallagher, Brian Howard, Raymond Hurt, George Spanos, Peter Sylvia, Michael Fraser, Valerie Vadney, Herbert Varney, Peter

CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn Crawford, Karel McCarthy, Frank McConkey, Mark Nelson, Bill

Parker, Harold Schmidt, Stephen Umberger, Karen

CHESHIRE

Tilton, Benjamin Emerson, Susan Hunt, John McConnell, James

Sterling, Franklin

COOS

Richardson, Herbert Fothergill, John Rideout, Leon Tholl, John

Welch, David

GRAFTON

Bailey, Brad Brown, Duane Darrow, Stephen Johnson, Eric Gionet, Edmond Hull, Robert Ingbretson, Paul Ladd, Rick

HILLSBOROUGH

Ammon, Keith Adams, Christopher Griffin, Barbara Balcom, John Barry, Richard Biggie, Barbara Boehm, Ralph Bouldin, Amanda Burt, John Byron, Frank Christensen, Chris Danielson, David Donovan, Daniel Eastman, Eric Edelblut, Frank Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Fromuth, Bart Smith, Gregory Gidge, Kenneth Gagne, Larry Gould, Linda Halstead, Carolyn Hogan, Edith Hinch, Richard Hopper, Gary Infantine, William Rice. Kimberly Christiansen, Lars Belanger, James Ober, Lynne Lachance, Joseph LeBrun, Donald Marston, Dick Martel, Andre McLean, Mark Moore, Josh Murotake, David Murphy, Keith Ohm. Bill McCarthy, Peggy Palmer, Barry Notter, Jeanine Pellegrino, Anthony Peterson, Ken Pierce, David Proulx, Mark Christie, Rick Ober, Russell Rouillard, Claire Rowe, Robert Sanborn, Laurie Seidel, Carl Shaw, Barbara Simmons, Tammy Souza, Kathleen Stepanek, Stephen Takesian, Charlene Twombly, Timothy Ulery, Jordan O'Brien, William Wolf, Terry Zaricki, Nick

MERRIMACK

Brewster, Michael McGuire, Carol McGuire, Dan French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kotowski, Frank Kuch, Bill Marole, Richard Martin, John Seaworth, Brian

ROCKINGHAM

Christie, Andrew Abrami, Patrick Abramson, Max Azarian, Gary Barnes, Arthur Bates, David Cardon, G. Thomas Chirichiello, Brian Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne DeSimone, Debra Devine, James Duarte, Joe Elliott, Robert Emerick, J. Tracy Rice. Frederick Ferrante, Beverly Fesh. Robert Friel, William Gannon, William Green. Dennis Guthrie, Joseph Hagan, Joseph Harris, Jeffrey Hoelzel, Kathleen Introne, Robert Itse. Daniel Sweeney, Joe Ward, Joanne Kappler, Lawrence Lundgren, David Matthews, Carolyn Griffin, Mary Major, Norman Manning, John Milz, David Nigrello, Robert McKinney, Betsy McMahon, Charles O'Connor, John Osborne, Jason Packard, Sherman Potucek, John Tilton, Rio Prudhomme-O'Brien, Katherine Belanger, Ronald Schroadter, Adam Sytek, John True. Chris Vose, Michael Webb, James

STRAFFORD

Woitkun, Steven

Beaudoin, StevenBickford, DavidCheney, CatherineDeLemus, SusanGraham, RobertGray, JamesGroen, WarrenHannon, JosephJones, LauraKaczynski, ThomasKnowles, RobertTurcotte, LeonardMullen, JohnPitre, JosephWuelper, Kurt

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 149 CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

Weyler, Kenneth

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Roberts, Kris
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Bennett, Travis	Cooney, Mary	Hennessey, Erin
Higgins, Patricia	Hennessey, Martha	Maes, Kevin
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Sykes, George	Townsend, Charles	White, Andrew
	Higgins, Patricia Nordgren, Sharon	Higgins, Patricia Hennessey, Martha Nordgren, Sharon Piper, Wendy

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Roberts, Carol	Cohen, Alan	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Kurk, Neal	O'Brien, Michael	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Brown, Pamela	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Snow, Kendall	Vann, Ivv	Williams, Kermit	Woodbury, David

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Ebel, Karen	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Frazer, June	Karrick, David	Kenison, Linda
Kidder, David	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-	li-Pitts, Jacqueline
Cushing, Robert DiFranco, Debbie Edgar, Michael Fran	ancese, Paula
Ward, Gerald Heffron, Frank Lovejoy, Patricia McE	Beath, Rebecca
Pantelakos, Laura Peckham, Michele Sherman, Thomas Sim	npson, Alexis

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	

SULLIVAN

Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
1.4 0 14	CC C D .		

and the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 326

Committee of Conference Report on SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Reagan, Dist. 17 Rep. Ladd. Graf. 4 Sen. Avard, Dist. 12 Rep. Weyler, Rock. 13 Sen. Kelly, Dist. 10 Rep. Hinch, Hills. 21 Rep. Heath, Hills. 14

Rep. Ladd moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 342-FN

Committee of Conference Report on SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Boutin, Dist. 16 Rep. Major, Rock. 14 Sen. Bradley, Dist. 3 Rep. Abrami, Rock. 19 Sen. D'Allesandro, Dist. 20 Rep. Lovejoy, Rock. 36 Rep. Lachance, Hills. 8

Rep. Major moved that the House adopt the Committee of Conference Report.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 369-FN

Committee of Conference Report on SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Section; School Boards; Drug and Alcohol Education. Amend RSA 189 by inserting after section 11-c the following new section:

189:11-d Drug and Alcohol Education.

- I. Each public school in the state, as part of the school board-approved kindergarten through grade 12 health education program, shall provide age and developmentally appropriate drug and alcohol education to pupils based upon the needs of the pupils and the community. The school board may authorize the use of an evidence-based prevention program.
- II. School boards shall develop policies authorizing school district personnel to provide pupils, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for pupils. Nothing in this section shall require a school district to add additional programs or services, but only to provide information about available programs and services.

The signatures below attest to the authenticity of this Report on SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3 Sen. Stiles, Dist. 24 Sen. Kelly, Dist. 10 Conferees on the Part of the House

Rep. Ladd, Graf. 4 Rep. Kurk, Hills. 2 Rep. Hinch, Hills. 21 Rep. Shaw, Hills. 16

AMENDED ANALYSIS

This bill requires public schools to provide age and developmentally appropriate drug and alcohol education to pupils.

Rep. Ladd moved that the House adopt the Committee of Conference Report.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 384

Committee of Conference Report on SB 384, relative to the feeding of wild deer. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Section; Fish and Game; Feeding of Wild Deer. Amend RSA 208 by inserting after section 8-a the following new section:

208:8-b Feeding of Wild Deer.

- I.(a) No person shall knowingly place food for consumption by wild deer if the fish and game department has determined such feeding would be detrimental to the health of the deer population or a threat to public safety.
- (b) The executive director shall adopt rules pursuant to RSA 541-A that include but shall not be limited to the definition of food, the time of feeding, and the locations for feeding that would be detrimental for consumption by wild deer and the criteria by which the department will determine if feeding would be detrimental to the health of the deer population or a threat to public safety.
- II. The fish and game department shall provide informational materials concerning the harmful or fatal feeding of wild deer to businesses and establishments in this state which sell or offer for sale wild animal feed.
- III. Any person who violates the provisions of this section shall be given a warning for a first offense and shall be guilty of a violation for any subsequent offense.
- IV. This section shall not apply to baiting permitted under RSA 207:3-d and agriculture as defined in RSA 21:34-a.

The signatures below attest to the authenticity of this Report on SB 384, relative to the feeding of wild deer.

Conferees on the Part of the Senate

Sen. Little, Dist. 8 Sen. Sanborn, Dist. 9 Sen. Feltes, Dist. 15 Conferees on the Part of the House Rep. Kidder, Merr. 5

Rep. Webb, Rock. 6 Rep. Spillane, Rock. 2

Rep. Vann. Hills. 24

AMENDED ANALYSIS

This bill prohibits placing of food for consumption by wild deer that would be detrimental to the health of the deer population or a threat to public safety, in accordance with rules adopted by the executive director of fish and game. The bill also requires the fish and game department to provide informational materials to businesses.

Rep. Kidder moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 391

Committee of Conference Report on SB 391, relative to annulment of certain misdemeanor offenses. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the Senate.

The signatures below attest to the authenticity of this Report on SB 391, relative to annulment of certain misdemeanor offenses.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14 Sen. Forrester, Dist. 2 Sen. Lasky, Dist. 13

Conferees on the Part of the House

Rep. Tholl, Coos 5 Rep. Martin, Merr. 23

Rep. Hirsch, Merr. 6 Rep. Parker, Carr. 6

Rep. Tholl moved that the House adopt the Committee of Conference Report.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 333 - NAYS 11

YEAS - 333 BELKNAP

Aldrich, Glen
Flanders, Donald
Spanos, Peter
Varney, Peter

Dumais, Russell Gallagher, Brian Sylvia, Michael

Tilton, Franklin Howard, Raymond Fraser, Valerie

Fields, Dennis Hurt, George Vadney, Herbert

CARROLL

Avelialli, Lillo
Comeau, Ed
McConkey, Mark
Ticehurst, Susan

Avallani Lina

Buco, Thomas Cordelli, Glenn Nelson, Bill Umberger, Karen Butler, Edward Crawford, Karel Parker, Harold

Chandler, Gene McCarthy, Frank Schmidt, Stephen

CHESHIRE

	Abbott, Michael
	Bordenet, John
,	Johnsen, Gladys
	Mann, John
	Robertson Timothy

Hodertson, Ilmothy Tatro, Bruce

Ames, Richard Chase, Cynthia Hunt, John McConnell, James Sad, Tara Weber, Lucy

Tilton, Benjamin Eaton, Daniel Roberts, Kris Parkhurst, Henry Shepardson, Marjorie

Berch, Paul Emerson, Susan Ley, Douglas Phillips, Larry Sterling, Franklin

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William Tholi, John

Movnihan, Wavne Thomas, Yvonne

GRAFTON

Almy, Susan Brown, Duane Gionet, Edmond Ladd, Rick Piper, Wendy Townsend, Charles Bailey, Brad Darrow, Stephen Higgins, Patricia Hennessey, Martha Shackett, Jeffrey White, Andrew

Bennett, Travis Hennessey, Erin Hull, Robert Massimilla, Linda Smith, Suzanne

Cooney, Mary Ford, Susan Ingbretson, Paul Nordgren, Sharon Sykes, George

HILLSBOROUGH

Adams, Christopher Balcom, John Biggie, Barbara Burt, John Cohen, Alan Donovan, Daniel Estevez, Eric Fromuth, Bart Goley, Jeffrey Haefner, Robert Heath, Mary

Ammon, Keith Baroody, Benjamin Boehm, Ralph Byron, Frank Cote, David Eastman, Eric Ferreira, Elizabeth Smith, Gregory Gorman, Mary Halstead, Carolyn Herbert, Christopher

Griffin, Barbara Barry, Richard Booras, Efstathia Christensen, Chris Danielson, David Edelblut, Frank Flanagan, Jack Gagne, Larry Gould, Linda Hansberry, Daniel Hinch. Richard

Backus, Robert Beaulieu, Jane Bouldin, Amanda Roberts, Carol DiSilvestro, Linda Edwards, Elizabeth Freitas, Mary Gidge, Kenneth Guerette, C. Lee Harvey, Suzanne Hogan, Edith

Hopper, Gary Jeudy, Jean Christiansen, Lars Leishman, Peter Marston, Dick Moore, Josh Ohm, Bill Peterson, Ken Christie, Rick Rouillard, Claire Shattuck, Gilman Souza, Kathleen Ulery, Jordan Wolf, Terry Infantine, William Rice, Kimberly Ober, Lynne O'Brien, Michael Martel, Andre Murotake, David Long, Patrick Pierce, David Ober, Russell Rowe, Robert Shaw, Barbara Stepanek, Stephen Vann, Ivy Woodbury, David

Belanger, James
Katsiantonis, Thomas
Lachance, Joseph
Mangipudi, Latha
McLean, Mark
Murphy, Keith
McCarthy, Peggy
Porter, Marjorie
Walsh, Robert
Sanborn, Laurie
Simmons, Tammy
Takesian, Charlene
O'Brien, William
Zaricki, Nick

Jack, Martin
Kurk, Neal
LeBrun, Donald
Manley, Jonathan
McNamara, Richard
Notter, Jeanine
Palmer, Barry
Proulx, Mark
Rosenwald, Cindy
Seidel, Carl
Snow, Kendall
Twombly, Timothy
Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Carson, Clyde Ebel, Karen Hill, Gregory Frazer, June Kotowski, Frank Martin, John Ratzki, Mario Seaworth, Brian Wheeler, Deborah Alicea, Caroletta Brewster, Michael Long, Douglas Gile, Mary Hirsch, Geoffrey Karrick, David Kuch, Bill Moffett, Howard Rogers, Katherine Shurtleff, Stephen French, Barbara McGuire, Carol McGuire, Dan Henle, Paul Hoell, J.R. Kenison, Linda MacKay, James Myler, Mel Saunderson, George Walsh, Thomas Bartlett, Christy Rice, Chip Doherty, David Hess, David Horn, Werner Kidder, David Marple, Richard Patten, Dick Schuett, Dianne Wallner, Mary Jane

ROCKINGHAM

Christie. Andrew Barnes, Arthur Cahill, Michael Cook, Allen DeSimone, Debra Duarte, Joe Ferrante, Beverly Ward, Gerald Harris, Jeffrey Itse, Daniel Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Belanger, Ronald Simpson, Alexis Webb, James

Abrami, Patrick Bates, David Cali-Pitts, Jacqueline Cushing, Robert Devine, James Edgar, Michael Fesh, Robert Green, Dennis Heffron, Frank Sweeney, Joe Lundgren, David McBeath, Rebecca O'Connor, John Peckham, Michele Tilton, Rio Sytek, John Welch, David

Abramson, Max Berrien, Skip Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Elliott, Robert Francese, Paula Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Griffin, Mary McMahon, Charles Osborne, Jason Potucek, John Schroadter, Adam True, Chris Weyler, Kenneth

Azarian, Garv Borden, David Chirichiello, Brian Dean-Bailey, Yvonne Doucette, Fred Emerick, J. Tracy Friel, William Hagan, Joseph Introne, Robert Kappler, Lawrence Major, Norman Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Sherman, Thomas Vose, Michael Woitkun, Steven

STRAFFORD

Baber, William Bixby, Peter DeLemus, Susan Gray, James Jones, Laura Turcotte, Leonard Pitre, Joseph Sprague, Dale Wall, Janet Beaudoin, Steven Burton, Wayne DiSesa, Len Groen, Warren Kaczynski, Thomas Smith, Marjorie Rollo, Deanna Stevens, Audrey Wuelper, Kurt Berube, Roger Cheney, Catherine Gardner, Janice Hannon, Joseph Kaen, Naida Mullen, John Southworth, Thomas Treleaven, Susan

Bickford, David Cilley, Jacalyn Graham, Robert Horrigan, Timothy Knowles, Robert Schmidt, Peter Spang, Judith Verschueren, James

SULLIVAN

Schmidt, Andrew Cloutier, John Gottling, Suzanne O'Hearne, Andrew Oxenham, Lee

Converse, Larry Irwin, Virginia Rollins, Skip Gagnon, Raymond Laware, Thomas Smith, Steven

NAYS - 11 COOS

Rideout, Leon

GRAFTON

Johnson, Eric

Maes, Kevin

HILLSBOROUGH

Brown, Pamela

Pellegrino, Anthony

MERRIMACK

French, Harold

Luneau, David

ROCKINGHAM

Rice, Frederick

Gannon, William

Manning, John

McKinney, Betsy

and the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 409-FN

Committee of Conference Report on SB 409-FN, relative to the first responder's critical injury benefit. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing sections 1-3 with the following:

- 1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:
- II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] 2018. Benefits paid under this section for all claimants shall not exceed \$500,000.
 - 2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:
 - I. Paragraph I of section 2 of this act shall take effect June 30, [2016] 2018.
- 3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Permanent Impairment Awards Established.
- I. There is established a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.
 - (a) The members of the committee shall be as follows:
 - (1) One member of the senate, appointed by the president of the senate.
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.
- II. The committee shall study soft tissue injuries for purposes of workers' compensation permanent impairment awards.
- III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.
- IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

The signatures below attest to the authenticity of this Report on SB 409-FN, relative to the first responder's critical injury benefit.

Conferees on the Part of the Senate

Sen. Prescott, Dist. 23 Sen. Cataldo, Dist. 6 Sen. Soucy, Dist. 18 Conferees on the Part of the House

Rep. Seaworth, Merr. 20 Rep. Murphy, Hills. 7 Rep. White, Graf. 13 Rep. Umberger, Carr. 2

AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

Rep. Seaworth moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 411

Committee of Conference Report on SB 411, relative to the merger of lots that are mortgaged. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Voluntary Merger. Amend RSA 674:39-a to read as follows:

674:39-a Voluntary Merger.

- I. Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the planning board or its designee. Except [where such merger would create a violation of then-current ordinances or regulations] as set forth in paragraphs II and III, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the planning board or its designee, shall be filed for recording in the registry of deeds, and a copy mailed to the municipality's assessing officials. No such merged parcel shall thereafter be separately transferred without subdivision approval. No city, town, county, or village district may merge preexisting subdivided lots or parcels except upon the consent of the owner.
- II. If there is any mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of the submission of the application. The written consent of each mortgage holder shall be required as a condition of approval of the merger, and shall be recorded with the notice of the merger pursuant to paragraph I. Upon recordation of the notice and each consent, the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The municipality shall not be liable for any deficiency in the notice to mortgage holders.
- III. No merger shall be approved that would create a violation of then-current ordinances or regulations.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Restoration of Involuntarily Merged Lots. Amend RSA 674:39-aa, II(a) to read as follows:

(a) The request is submitted to the governing body prior to December 31, [2016] 2021. The signatures below attest to the authenticity of this Report on SB 411, relative to the merger of lots that are mortgaged.

Conferees on the Part of the Senate

Sen. Prescott, Dist. 23 Sen. Cataldo, Dist. 6 Sen. Watters, Dist. 4 Conferees on the Part of the House

Rep. Hunt, Ches. 11 Rep. Bates, Rock. 7 Rep. Williams, Hills. 4 Rep. Harold French, Merr. 2

AMENDED ANALYSIS

This bill requires that mortgage holders consent to the voluntary merger of lots. This bill also extends the deadline for requests for restoration of lots that were involuntarily merged. Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 441-FN

Committee of Conference Report on SB 441-FN, relative to discounts and admission without charge at state parks.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

- 1 State Parks; Admission Charges; Persons 65 Years of Age and Older. Amend RSA 218:5-c to read as follows:
 - 218:5-c Admission Without Charge; Residents 65 Years of Age and Older.
- I. Any person who is a resident of this state and who has attained the age of 65 shall, upon proper identification, be admitted to any state recreation area, including but not limited to parks, historical sites, and beaches[, and state-operated ski areas,] without charge except on weekends and holidays. Persons qualifying under this [section] paragraph shall be allowed to use any state owned facility within the recreation area without charge for the use of the facility, except those facilities operated by third parties.
- II. Persons qualifying under [this section shall] paragraph I may be charged up to 2/3 of the usual fee for the use of so-called "uphill devices" on [Saturdays and Sundays] weekends and holidays, and up to 1/3 of the usual fee on weekdays. Provided further that other special charges at state owned recreation areas, such as fees charged for parking at parking meters, shall be charged persons qualifying under [this section] paragraph I at the usual rates.
- III. A person who is a resident of this state, who has attained the age of 65, shall be entitled to use uphill devices at state operated ski areas at a reduced rate. Upon proper identification, such person shall be charged \$5 per day on weekdays excluding holidays. The daily use charge may be increased annually by an amount not to exceed \$5. The daily charge for use of uphill devices for such persons shall not exceed 1/3 of the usual fee. The daily use charge for such persons for the use of uphill devices on weekends and holidays shall not exceed 2/3 of the usual fee.
- IV. The provisions of this section shall not apply to state owned campsites or camping areas or state-owned ski areas operated by a lessee. Additional discounts or admission without charge for persons qualifying under this section may be provided in accordance with RSA 216-A:3-g. The signatures below attest to the authenticity of this Report on SB 441-FN, relative to discounts and admission without charge at state parks.

Conferees on the Part of the Senate

Sen. Stiles, Dist. 24

Sen. Boutin, Dist. 16 Sen. Woodburn, Dist. 1 Conferees on the Part of the House Rep. Chris Christensen, Hills. 21 Rep. Mullen, Straf. 1

Rep. Suzanne Smith, Graf. 8 Rep. Major, Rock. 14

Rep. Chris Christensen moved that the House adopt the Committee of Conference Report.

Reps. True and Bailey spoke against.

Reps. Chris Christensen and Suzanne Smith spoke in favor and yielded to questions.

Rep. True requested a roll call; sufficiently seconded.

YEAS 156 - NAYS 185

YEAS - 156 BELKNAP

Tilton, Franklin	Fields, Dennis	Flanders, Donald	Vadney, Herbert
	C	CARROLL	
Chandler, Gene	Crawford, Karel	McConkey, Mark	Nelson, Bill
Schmidt, Stephen	Umberger, Karen	•	
	C	HESHIRE	
Abbott, Michael	Ames, Richard	Chase, Cynthia	Eaton, Daniel
Emerson, Susan	Hunt, John	Roberts, Kris	Ley, Douglas
Mann, John	McConnell, James	Phillips, Larry	Sad, Tara
Shepardson, Marjorie	Weber, Lucy		

COOS

Moynihan, Wayne Thomas, Yvonne Fotheraill, John GRAFTON Bennett, Travis Johnson, Eric Gionet, Edmond Almy, Susan Hull, Robert Hennessey, Martha Nordgren, Sharon Shackett, Jeffrey Townsend, Charles White, Andrew Sykes, George Smith, Suzanne HILLSBOROUGH Backus, Robert Griffin, Barbara Adams, Christopher Ammon, Keith Beaulieu, Jane Biggie, Barbara Balcom, John Barry, Richard Edwards, Elizabeth DiSilvestro, Linda Booras, Efstathia Christensen, Chris Goley, Jeffrey Gould, Linda Ferreira, Elizabeth Gagne, Larry Haefner, Robert Halstead, Carolyn Hansberry, Daniel Harvey, Suzanne Christiansen, Lars Kurk, Neal Herbert, Christopher Hinch, Richard Moore, Josh Murphy, Keith McNamara, Richard LeBrun, Donald McCarthy, Peggy Pierce, David Porter, Mariorie Brown, Pamela Rosenwald, Cindy Rouillard, Claire Ober, Russell Walsh, Robert Simmons, Tammy Snow, Kendall Rowe, Robert Seidel, Carl Wolf, Terry Woodbury, David MERRIMACK French, Barbara Bartlett, Christy Bradley, Paula McGuire, Carol Henle, Paul McGuire, Dan Doherty, David Ebel, Karen Hoell, J.R. Horn, Werner Kotowski, Frank Hess, David Marple, Richard Moffett, Howard Schuett, Dianne MacKay, James Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane Seaworth, Brian ROCKINGHAM Bates, David Christie. Andrew Abrami, Patrick Azarian, Garv Cardon, G. Thomas DeSimone, Debra Berrien, Skip Borden, David Emerick, J. Tracy Rice, Frederick Ferrante, Beverly Fesh, Robert Hoelzel, Kathleen Francese, Paula Hagan, Joseph Heffron, Frank Lundgren, David Major, Norman Sweeney, Joe Ward, Joanne Matthews, Carolyn McBeath, Rebecca McKinney, Betsy Nigrello, Robert Packard, Sherman Pantelakos, Laura O'Connor, John Osborne, Jason Tilton, Rio Schroadter, Adam Belanger, Ronald Prudhomme-O'Brien, Katherine Sytek, John Weyler, Kenneth Sherman, Thomas Simpson, Alexis STRAFFORD Baber, William Bickford, David Bixby, Peter Gray, James Kaen, Naida Turcotte, Leonard Smith, Marjorie Kaczynski, Thomas Southworth, Thomas Mullen, John Schmidt, Peter Spang, Judith Treleaven, Susan Verschueren, James Wuelper, Kurt SULLIVAN Schmidt, Andrew Gottling, Suzanne Irwin, Virginia O'Hearne, Andrew NAYS - 185 BELKNAP Aldrich, Glen Dumais, Russell Gallagher, Brian Howard, Raymond Hurt, George Spanos, Peter Fraser, Valerie Varney, Peter CARROLL Butler, Edward Comeau. Ed Avellani, Lino Buco. Thomas

Parker, Harold

McCarthy, Frank

Cordelli, Glenn

Ticehurst, Susan

CHESHIRE

Tilton, Benjamin Parkhurst, Henry

Berch, Paul Robertson, Timothy Bordenet, John Sterling, Franklin Johnsen, Gladys Tatro, Bruce

COOS

Froburg, Alethea Tholi, John Richardson, Herbert

Rideout, Leon

Theberge, Robert

GRAFTON

Bailey, Brad Hennessey, Erin Massimilla, Linda Cooney, Mary Higgins, Patricia Piper, Wendy Brown, Duane Ladd, Rick

Darrow, Stephen Maes, Kevin

HILLSBOROUGH

Baroody, Benjamin Byron, Frank Danielson, David Estevez, Eric Smith, Gregory Heath, Mary Belanger, James Katsiantonis, Thomas O'Brien, Michael Martel, Andre Ohm, Bill Peterson, Ken Shattuck, Gilman Takesian, Charlene

Boehm, Ralph Roberts, Carol Donovan, Daniel Flanagan, Jack Gidge, Kenneth Hogan, Edith Jack, Martin Ober, Lynne Mangipudi, Latha McLean, Mark Long, Patrick Proulx, Mark Shaw, Barbara Twombly, Timothy Williams, Kermit Bouldin, Amanda Cohen, Alan Eastman, Eric Freitas, Mary Gorman, Mary Hopper, Gary Jeudy, Jean Lachance, Joseph Manley, Jonathan Murotake, David Palmer, Barry Christie, Rick Souza, Kathleen Ulery, Jordan Zaricki, Nick

Burt, John Cote, David Edelblut, Frank Fromuth, Bart Guerette, C. Lee Infantine, William Rice, Kimberly Leishman, Peter Marston, Dick Notter, Jeanine Pellegrino, Anthony Sanborn, Laurie Stepanek, Stephen Vann, Ivy

MERRIMACK

Turcotte, Alan Carson, Clyde Hill, Gregory Kenison, Linda Martin, John Rogers, Katherine

O'Brien, William

Alicea, Caroletta Long, Douglas Hirsch, Geoffrey Kidder, David Myler, Mel Saunderson, George Brewster, Michael Gile, Mary Frazer, June Kuch, Bill Patten, Dick Wheeler, Deborah Rice, Chip French, Harold Karrick, David Luneau, David Ratzki, Mario

ROCKINGHAM

Abramson, Max Chirichiello, Brian Dean-Bailey, Yvonne Duarte, Joe Ward, Gerald Harris, Jeffrey Katsakiores, Phyllis McMahon, Charles True, Chris Woitkun, Steven

Bames, Arthur Cook, Allen Devine, James Edgar, Michael Gannon, William Introne, Robert Lovejoy, Patricia Milz, David Vose, Michael Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Elliott, Robert
Green, Dennis
Itse, Daniel
Griffin, Mary
Peckham, Michele
Webb, James

Cali-Pitts, Jacqueline Thomas, Douglas Doucette, Fred Friel, William Guthrie, Joseph Kappler, Lawrence Manning, John Potucek, John Welch, David

STRAFFORD

Beaudoin, Steven Cilley, Jacalyn Graham, Robert Jones, Laura Sprague, Dale Berube, Roger DeLemus, Susan Groen, Warren Knowles, Robert Stevens, Audrey Burton, Wayne DiSesa, Len Hannon, Joseph Pitre, Joseph Wall, Janet

Cheney, Catherine Gardner, Janice Horrigan, Timothy Rollo, Deanna

SULLIVAN

Cloutier, John Laware, Thomas Converse, Larry Oxenham, Lee Gagnon, Raymond Rollins, Skip

Grenier, James Smith, Steven

and the motion failed.

COMMITTEE OF CONFERENCE REPORT ON SB 466-FN

Committee of Conference Report on SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2015, 276:205 to read as follows:

276:205 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [\$1,721,861] \$700,000 for the fiscal year ending June 30, 2016, and by [\$3,496,746] \$1,700,000 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed [\$10,100,000] \$11,800,000 for the fiscal year ending June 30, 2017. The department shall lapse an additional \$1,850,000 in state general fund appropriations for the fiscal year ending June 30, 2017, which shall be in addition to any previously required or estimated lapse for said fiscal year.

- 5 Department of Health and Human Services; Reduction in Appropriation to the Sununu Youth Services Center; Reporting Requirement. On or before August 5, 2016, the department of health and human services shall submit for approval by the fiscal committee of the general court, a plan to reduce general fund appropriations to the Sununu youth services center as required by section 4 of this act. The department shall provide the committee with a status report relative to implementation of the budget reduction every 3 months thereafter. The plan shall include a proposal to achieve 1/2 of the budget reduction for fiscal year 2017 no later than January 1, 2017. If the department does not achieve 1/2 of the budget reduction for fiscal year 2017 by January 1, 2017, the department of health and human service's authority to transfer funds within and among accounting units of the department provided in 2015, 276:143 shall be suspended for the remainder of the biennium.
- 6 Youth Development Services; Admission; Discharge from Youth Services Center Detention Risk Assessment Instrument. Amend RSA 621-A:6 to read as follows:
 - 621-A:6 Admission.
- I. Children, subject to proceedings in juvenile court, may be admitted to the youth services center for temporary detention while awaiting disposition of the court pursuant to RSA 169-B:14, for educational services pursuant to RSA 186-C, RSA 169-B, RSA 169-C, or RSA 169-D, only upon prior approval of the commissioner.
- II. Prior to a child's detention at the youth services center, the department or an arresting law enforcement agency shall complete a detention risk assessment instrument to determine whether there is:
- (a) Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition; or
- (b) A need to hold the child in order to assure the child's appearance before the court, as demonstrated by the child's previous failure to respond to the court.
- III. The department shall review and submit a monthly report to the general court on those cases, also known as "overrides", in which children are confined at the Sununu youth services center contrary to the results of the detention risk assessment instrument. Beginning with the fourth such report, the department shall include recommendations for the appropriate rate of overrides.

7 Effective Date.

I. Sections 1-3 of this act shall take effect July 1, 2016.

II. The remainder of this act shall take effect June 30, 2016.

The signatures below attest to the authenticity of this Report on SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

Conferees on the Part of the Senate

Sen. Forrester, Dist. 2 Sen. Little, Dist. 8

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Gargasz, Hills. 27 Rep. Kurk, Hills. 2 Rep. Barry, Hills. 21 Rep. Berrien, Rock. 18

AMENDED ANALYSIS

This bill:

- I. Provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center.
- II. Permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.
- III. Revises the reduction in appropriation required for the Sununu youth services center and the department of health and human services as a whole.
- IV. Requires the department of health and human services to consider a detention risk assessment instrument to determine whether a child should be held at the youth services center pending adjudication. Rep. Gargasz moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 471-FN

Committee of Conference Report on SB 471-FN, relative to parking for persons with disabilities. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on SB 471-FN, relative to parking for persons with disabilities.

Conferees on the Part of the Senate

Sen. Stiles, Dist. 24 Sen. Birdsell, Dist. 19

Sen. Watters, Dist. 4

Conferees on the Part of the House

Rep. Steven Smith, Sull. 11 Rep. Thomas Walsh, Merr. 24

Rep. Packard, Rock. 5 Rep. Ford, Graf. 3

Rep. Steven Smith moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 485-FN-A

Committee of Conference Report on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 13 with the following:

13 New Paragraph; Legislative Budget Assistant; Fiscal Committee; Retiree Health Advisory Council. Amend RSA 14:30-a by inserting after paragraph VI the following new paragraph:

VII. The committee shall establish a retiree health advisory council as a subcommittee to the committee. The advisory council shall convene public meetings as needed to review options under consideration for changes to the retiree health plan if additional changes are needed after the new retiree health benefits plan is established. The advisory council shall also receive testimony from retirees and other interested members of the public. The meetings shall occur prior to the fiscal committee acting on the options.

Amend the bill by inserting after section 14 the following and renumbering the original section 15 to read as 16:

15 Appropriation and Charge; Department of Administrative Services; Risk Management; Health Plan Costs. In addition to any other sums appropriated, the sum of \$360,000 is appropriated to the department of administrative services, risk management unit, for the biennium ending June 30, 2017 for state retiree health plan costs under RSA 21-I:30. Said appropriations shall be a charge against the following account:

Accounting Unit Class Class Name FY 2016 FY 2017
02-10-10-1000-1880 049 Transfer to Other State Agencies (\$180,000) (\$180,000)

The signatures below attest to the authenticity of this Report on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and

making an appropriation therefor.

Conferees on the Part of the Senate Conferees on the Part of the House

Sen. Forrester, Dist. 2
Sen. Little, Dist. 8
Sen. D'Allesandro, Dist. 20
Rep. Kurk, Hills. 2
Rep. Lynne Ober, Hills. 37
Rep. Hinch, Hills. 21
Rep. Chandler, Carr. 1

Rep. Kurk moved that the House adopt the Committee of Conference Report.

On a division vote, with 159 members having voted in the affirmative, and 160 in the negative, the Committee of Conference Report failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider it action whereby, on a division vote of 159-160, the House failed to adopt the Committee of Conference Report on SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Rep. William O'Brien spoke against.

Ladd, Rick

Rep. Bouldin spoke against and yielded to questions.

Reps. Kurk and Lynne Ober spoke in favor and yielded to questions.

Rep. Kurk requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 187

YEAS - 157 BELKNAP

	В	ELKNAP	
Dumais, Russell	Tilton, Franklin	Fields, Dennis	Flanders, Donald
Gallagher, Brian	Hurt, George	Fraser, Valerie	Vadney, Herbert
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel Schmidt, Stephen	McConkey, Mark Umberger, Karen	Nelson, Bill	Parker, Harold
	C	HESHIRE	
Ames, Richard	Eaton, Daniel	Emerson, Susan	Hunt, John
Roberts, Kris Sterling, Franklin	Parkhurst, Henry	Sad, Tara	Shepardson, Marjorie
		COOS	
Fothergill, John	Richardson, Herbert	Tholl, John	Thomas, Yvonne
	G	RAFTON	
Bailey, Brad	Bennett, Travis	Cooney, Mary	Darrow, Stephen

HILLSBOROUGH

Griffin, Barbara
Beaulieu, Jane
Christensen, Chris
Flanagan, Jack
Haefner, Robert
Hinch, Richard
Katsiantonis, Thomas
LeBrun, Donald
Pellegrino, Anthony
Rouillard, Claire
Snow, Kendall

Backus, Robert Biggie, Barbara Roberts, Carol Gagne, Larry Halstead, Carolyn Hopper, Gary Kurk, Neal Murotake, David Pierce, David Rowe, Robert Takesian, Charlene

Booras, Efstathia Cohen, Alan Gargasz, Carolyn Heath, Mary Belanger, James Christiansen, Lars McCarthy, Peggy Proulx, Mark Sanborn, Laurie Twombly, Timothy

Balcom, John

Barry, Richard Byron, Frank Danielson, David Gidge, Kenneth Herbert, Christopher Rice, Kimberly Ober, Lynne Palmer, Barry Ober, Russell Seidel, Carl Wolf, Terry

MERRIMACK

French, Barbara Gile, Mary Kidder, David Wheeler, Deborah McGuire, Carol Henle, Paul Kotowski, Frank Rice, Chip Hess, David Martin, John Ebel, Karen Horn, Werner Walsh, Thomas

ROCKINGHAM

Christie, Andrew
Cahill, Michael
Thomas, Douglas
Doucette, Fred
Ferrante, Beverly
Green, Dennis
Sweeney, Joe
Griffin, Mary
McKinney, Betsy
O'Connor, John
Potucek, John
Sytek, John
Woitkun, Steven

Abrami, Patrick Cardon, G. Thomas Dean-Bailey, Yvonne Elliott, Robert Fesh, Robert Guthrie, Joseph Ward, Joanne Major, Norman McMahon, Charles Packard, Sherman Belanger, Ronald Webb, James Azarian, Gary Chirichiello, Brian DeSimone, Debra Emerick, J. Tracy Francese, Paula Hagan, Joseph Katsakiores, Phyllis Manning, John Milz, David Pantelakos, Laura Tilton, Rio Welch, David Barnes, Arthur Cook, Allen Devine, James Rice, Frederick Friel, William Hoelzel, Kathleen Lovejoy, Patricia Matthews, Carolyn Nigrello, Robert Peckham, Michele Sherman, Thomas Weyler, Kenneth

STRAFFORD

Berube, Roger Gray, James Verschueren, James Bickford, David Knowles, Robert Wall, Janet Cheney, Catherine Mullen, John

Gardner, Janice Treleaven, Susan

SULLIVAN

Schmidt, Andrew Smith, Steven Gottling, Suzanne

Grenier, James

Laware, Thomas

NAYS - 187 BELKNAP

Aldrich, Glen Varney, Peter Howard, Raymond

Spanos, Peter

Sylvia, Michael

CARROLL

Avellani, Lino Comeau, Ed

McCarthy, Frank

Ticehurst, Susan

CHESHIRE

Abbott, Michael Chase, Cynthia McConnell, James Weber, Lucy Tilton, Benjamin Johnsen, Gladys Phillips, Larry Berch, Paul Ley, Douglas Robertson, Timothy

Bordenet, John Mann, John Tatro, Bruce

COOS

Froburg, Alethea Hatch, William Moynihan, Wayne Theberge, Robert GRAFTON

Almy, Susan Gionet, Edmond Hennessey, Martha Piper, Wendy Townsend, Charles Hennessey, Erin Higgins, Patricia Maes, Kevin Shackett, Jeffrey White, Andrew Johnson, Eric Hull, Robert Massimilla, Linda Smith, Suzanne Ford, Susan Ingbretson, Paul Nordgren, Sharon Sykes, George

Rideout, Leon

HILLSBOROUGH

Adams, Christopher
Bouldin, Amanda
Donovan, Daniel
Estevez, Eric
Smith, Gregory
Guerette, C. Lee
Infantine, William
Leishman, Peter
Marston, Dick
Moore, Josh
Brown, Pamela
Christie, Rick
Shaw, Barbara
Ulery, Jordan
Woodbury, David

Ammon, Keith Burt, John Eastman, Eric Ferreira, Elizabeth Goley, Jeffrey Hansberry, Daniel Jack, Martin O'Brien, Michael Martel, Andre Murphy, Keith Long, Patrick Walsh, Robert Simmons, Tammy Vann, Ivy Zaricki, Nick Baroody, Benjamin Cote, David Edelblut, Frank Freitas, Mary Gorman, Mary Harvey, Suzanne Jeudy, Jean Mangipudi, Latha McLean, Mark Notter, Jeanine Peterson, Ken Rosenwald, Cindy Souza, Kathleen O'Brien, William Boehm, Ralph
DiSilvestro, Linda
Edwards, Elizabeth
Fromuth, Bart
Gould, Linda
Hogan, Edith
Lachance, Joseph
Manley, Jonathan
McNamara, Richard
Ohm, Bill
Porter, Marjorie
Shattuck, Gilman
Stepanek, Stephen
Williams, Kermit

MERRIMACK

Turcotte, Alan Carson, Clyde French, Harold Frazer, June Luneau, David Myler, Mel Saunderson, George Wallner, Mary Jane Alicea, Caroletta Long, Douglas Hill, Gregory Karrick, David MacKay, James Patten, Dick Schuett, Dianne Bartlett, Christy McGuire, Dan Hirsch, Geoffrey Kenison, Linda Marple, Richard Ratzki, Mario Seaworth, Brian

Brewster, Michael Doherty, David Hoell, J.R. Kuch, Bill Moffett, Howard Rogers, Katherine Shurtleff, Stephen

Borden, David

ROCKINGHAM

Abramson, Max
Cali-Pitts, Jacqueline
Edgar, Michael
Heffron, Frank
Lundgren, David
Schroadter, Adam

Bates, David Cushing, Robert Ward, Gerald Introne, Robert McBeath, Rebecca Simpson, Alexis Berrien, Skip DiFranco, Debbie Gannon, William Itse, Daniel Osborne, Jason True, Chris

Duarte, Joe Harris, Jeffrey Kappler, Lawrence Prudhomme-O'Brien, Katherine Vose, Michael

STRAFFORD

Baber, William Cilley, Jacalyn Groen, Warren Kaczynski, Thomas Schmidt, Peter Spang, Judith Beaudoin, Steven DeLemus, Susan Hannon, Joseph Kaen, Naida Pitre, Joseph Sprague, Dale Bixby, Peter DiSesa, Len Horrigan, Timothy Turcotte, Leonard Rollo, Deanna Stevens, Audrey Burton, Wayne Graham, Robert Jones, Laura Smith, Marjorie Southworth, Thomas Wuelper, Kurt

SULLIVAN

Converse, Larry Oxenham, Lee Gagnon, Raymond Rollins, Skip Irwin, Virginia

Cloutier, John
O'Hearne, Andrew
and the motion failed.

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D) COMMITTEE OF CONFERENCE REPORT ON SB 495-FN-A

Committee of Conference Report on SB 495-FN-A, relative to state retiree health plan costs and funding. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Liquor Licenses and Fees; Definition of Cigar Bar. Amend RSA 178:20-a, II(d) to read as follows:

(d) Does not allow cigarette smoking or [service of] food to be sold on the premises.

2 Effective Date. This act shall take effect 60 days after its passage.

The signatures below attest to the authenticity of this Report on SB 495-FN-A, relative to state retiree health plan costs and funding.

Conferees on the Part of the Senate

Sen. Forrester, Dist. 2 Sen. Little, Dist. 8

Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House

Rep. Kurk, Hills. 2

Rep. Lynne Ober, Hills. 37 Rep. Hinch, Hills. 21

Rep. Rosenwald, Hills. 30

AMENDED ANALYSIS

This bill prohibits the sale of food in a cigar bar licensed by the liquor commission. Rep. Kurk moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 496-FN

Committee of Conference Report on SB 496-FN, relative to personal care attendant services. Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 161-E:2 as inserted by section 2 of the bill by replacing it with the following:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide [on a periodic basis] medically [oriented] necessary long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. Personal care services under this chapter may be delivered in noninstitutional locations in which normal life activities occur.

The signatures below attest to the authenticity of this Report on SB 496-FN, relative to personal care attendant services.

Conferees on the Part of the Senate

Sen. Sanborn, Dist. 9 Sen. Avard, Dist. 12

Sen. Fuller Clark, Dist. 21

Conferees on the Part of the House

Rep. McMahon, Rock. 7 Rep. Sherman, Rock. 24

Rep. Weber, Ches. 1 Rep. LeBrun, Hills. 32

Rep. McMahon moved that the House adopt the Committee of Conference Report. Motion adopted.

INTRODUCTION OF SPECIAL GUEST

The Honorable Kevin Ryan, Deputy Speaker of the Connecticut House of Representatives, joined the Speaker on the rostrum.

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D) COMMITTEE OF CONFERENCE REPORT ON SB 498-FN

Committee of Conference Report on SB 498-FN, relative to penalties for possession of certain controlled drugs.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the Senate, and pass the bill as so amended:

Amend RSA 318-B:26, XIII as inserted by section 3 of the bill by replacing it with the following:

XIII. Any person who violates any provision of this chapter shall be fined a minimum of \$350 for a first offense and \$500 for a second or subsequent offense, except that any person who violates the provisions of RSA 318-B:26, II(d) or RSA 318-B:26, II(e) shall be fined \$350.

The signatures below attest to the authenticity of this Report on SB 498-FN, relative to penalties for possession of certain controlled drugs.

Conferees on the Part of the Senate

Sen. Carson, Dist. 14 Sen. Forrester, Dist. 2 Sen. Hosmer, Dist. 7 Conferees on the Part of the House

Rep. Welch, Rock. 13 Rep. DiSesa, Straf. 16 Rep. Barnes, Rock. 8 Rep. Cushing, Rock. 21

Rep. Welch moved that the House adopt the Committee of Conference Report.

Rep. Welch spoke in favor.

Rep. Sylvia spoke against and requested a roll call; not sufficiently seconded.

Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 522-FN-A

Committee of Conference Report on SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

- 1 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of \$130,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, 2017 for the purposes of technology upgrades for the controlled drug prescription health and safety program, established in RSA 318-B:32. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
- 2 New Section; Property Subject to Forfeiture. Amend RSA 617 by inserting after section 1 the following new section:
 - 617:1-a Criminal Forfeiture; Property Subject to Forfeiture.
- I. Subsequent to a criminal conviction pursuant to a statute that authorizes forfeiture, including but not limited to RSA 318-B:17-b, the court may order the person convicted to forfeit:
 - (a) Property the person derived from the commission of the crime;
 - (b) Property directly traceable to property derived from the commission of the crime; and
 - (c) Instrumentalities the person used in the commission of the crime.
- II. When a conviction or agreement of the parties is not possible due to the person's death, incompetence, unavailability, or not being within the jurisdiction of the court, or the person to be charged cannot be identified, forfeiture proceedings may be commenced.
- III. Property may be forfeited if the state establishes that the property is forfeitable by clear and convincing evidence.
- IV. Nothing in this section shall prevent property from being forfeited by plea agreement approved by the presiding criminal court or other agreement of the parties.
- V. At the request of any party, the civil portion of the forfeiture proceeding may be stayed by the court.
- 3 New Section; Forfeiture; Innocent Owner. Amend RSA 617 by inserting after section 4 the following new section:

- 617:4-a Innocent Owner. In addition to any other remedy provided by law, any person claiming to be an innocent owner of property seized for purposes of forfeiture may petition the court, after 10 days from the date of seizure, for return of the property. No item or property interest shall be subject to forfeiture unless the alleged innocent owner thereof was a consenting party to the crime. This section shall not apply to property seized as evidence in a pending criminal investigation or prosecution.
- 4 New Section; Disposition of Unclaimed Property and Proceeds. Amend RSA 617 by inserting after section 10 the following new section:
 - 617:11 Disposition of Property and Proceeds.
- I. Notwithstanding any other provision of law, at any time when unclaimed property or contraband held for evidentiary purposes is no longer needed for that purpose, the court may order the state to deliver any unclaimed property, other than currency, to the commissioner of the department of administrative services, to deliver any currency to the state treasurer, and to destroy any contraband within 30 days.
- II. If the forfeiture is granted, the court may order the state to deliver any currency to the state treasurer and any other property to the commissioner of the department of administrative services within 30 days. The commissioner of the department of administrative services shall dispose of the forfeited property at public auction.
- III. Upon motion, the court may order that a portion of the currency seized or proceeds from public auction be used to pay reasonable nonpersonnel expenses of the seizure, storage, and maintenance of custody of any forfeited items.
- IV. The auction proceeds and forfeited currency shall be forwarded to the state treasurer and shall be used first to pay all outstanding recorded liens on the forfeited property, then to comply with an order of the court to pay reasonable non-personnel expenses, with all remaining funds to be deposited into the drug forfeiture fund.
- 5 Forfeiture of Items Used in Connection with Drug Offense. Amend RSA 318-B:17-b, II(e) to read as follows:
- (e) The department of justice shall, within 60 days of the seizure, [either] file a petition in the superior court having jurisdiction under this section [or seek administrative forfeiture pursuant to RSA 318-B:17-d]. If no such petition is filed [or administrative procedure initiated] within 60 days, the items or property interest seized shall be released or returned to the owners.
- 6 Disposition of Funds Obtained by the Attorney General; Reference to Administrative Forfeiture Removed. Amend RSA 7:6-e, III to read as follows:
- III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, drug forfeiture funds as provided in RSA 318-B:17-b [through RSA 318-B:17-d] and RSA 318-B:17-c, fines or civil penalties authorized by state law as a result of enforcement actions taken by state agencies or the attorney general, and money received on behalf of a victim or the state as restitution.
- 7 Forfeiture of Items Used in Connection with Drug Offense; Reference Change. Amend the introductory paragraph of RSA 318-B:17-b, V to read as follows:
- V. Final orders for forfeiture of property under this section [or under RSA 318-B:17-d] shall be implemented by the department of justice and shall provide for disposition of the items or property interests by the state in any manner not prohibited by law, including retention for official use by law enforcement or other public agencies or sale at public auction. The department of justice shall pay the reasonable expenses of the forfeiture proceeding, seizure, storage, maintenance of custody, advertising, court costs, and notice of sale from any money forfeited and from the proceeds of any sale or public auction of forfeited items. All outstanding recorded liens on said items or property interests seized shall be paid in full upon conclusion of the court proceedings from the proceeds of any sale or public auction of forfeited items. The balance remaining shall be distributed by the department of justice as follows:
 - 8 Drug Forfeiture Fund; Reporting Requirement. Amend RSA 318-B:17-c, II to read as follows:
- II. Law enforcement agencies may apply to the department of justice for grants from the forfeiture fund. Such grants shall be utilized exclusively for meeting expenses associated with drug related investigations. The attorney general shall report 60 days after the close of each fiscal year to the governor and council and to the fiscal committee of the general court a [summary] detailed accounting of the grants provided to law enforcement agencies under this paragraph by agency, including the department of safety, and the amount forwarded to the department of health and human services,

bureau of drug and alcohol services, for the preceding fiscal year. The attorney general's report shall also include a detailed accounting of the costs of investigations, enforcement programs, and prosecutions paid under paragraph I.

9 Repeal. RSA 318-B:17-d, relative to administrative forfeiture of items used in connection with drug offenses, is repealed.

10 Effective Date.

I. Sections 2-7 and 9 of this act shall take effect January 1, 2017.

II. The remainder of this act shall take effect upon its passage.

The signatures below attest to the authenticity of this Report on SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3 Sen. Forrester, Dist. 2 Sen. Hosmer, Dist. 7 Conferees on the Part of the House Rep. Lynne Ober, Hills. 37 Rep. Dan McGuire, Merr. 21 Rep. Rouillard, Hills. 6 Rep. Leishman, Hills. 24

AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

II. Limits forfeiture to cases in which, after a criminal conviction, the state has found by clear and convincing evidence that the property was derived from, or used in, the commission of a crime. The proceeds from forfeiture cases would continue to be deposited in the drug forfeiture fund.

III. Requires the attorney general to provide an annual, detailed accounting of grants and expenditures from the drug forfeiture fund.

Rep. Lynne Ober moved that the House adopt the Committee of Conference. Motion adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 523-FN

Committee of Conference Report on SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

Conferees on the Part of the Senate

Conferees on the Part of the House Rep. Kotowski, Merr. 24 Rep. LeBrun, Hills. 32 Rep. Freitas, Hills. 14

Rep. Snow, Hills. 42

Sen. Bradley, Dist. 3 Sen. Sanborn, Dist. 9 Sen. Soucy, Dist. 18

Rep. Kotowski moved that the House adopt the Committee of Conference Report.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 232 - NAYS 106

YEAS - 232 BELKNAP

Fields, Dennis Flanders, Donald H

Hurt, George

CARROLL

Butler, Edward Chandler, Gene McCarthy, Frank McConkey, Mark Schmidt, Stephen Ticehurst, Susan

Cordelli, Glenn Nelson, Bill Umberger, Karen Crawford, Karel Parker, Harold

CHESHIRE

Abbott, Michael Chase, Cynthia Roberts, Kris Robertson, Timothy Tatro, Bruce Ames, Richard Eaton, Daniel Ley, Douglas Sad, Tara Weber, Lucy Berch, Paul Johnsen, Gladys Mann, John Shepardson, Marjorie

Bordenet, John Hunt, John Parkhurst, Henry Sterling, Franklin

COOS

Fothergill, John Richardson, Herbert

Froburg, Alethea Tholl, John Hatch, William Thomas, Yvonne Moynihan, Wayne

GRAFTON

Almy, Susan Ford, Susan Maes, Kevin Smith, Suzanne Bailey, Brad Higgins, Patricia Massimilla, Linda Sykes, George Cooney, Mary Ladd, Rick Nordgren, Sharon Townsend, Charles

Hennessey, Erin Hennessey, Martha Piper, Wendy White, Andrew

HILLSBOROUGH

Backus, Robert Biggie, Barbara Roberts, Carol DiSilvestro, Linda Smith, Gregory Goley, Jeffrey Hansberry, Daniel Hinch, Richard Jack, Martin Ober, Lynne Mangipudi, Latha Long, Patrick Peterson, Ken Rosenwald, Cindy Seidel, Carl Takesian, Charlene

Baroody, Benjamin Booras, Efstathia Cohen, Alan Donovan, Daniel Gagne, Larry Gould, Linda Harvey, Suzanne Hogan, Edith Jeudy, Jean LeBrun, Donald Manley, Jonathan McCarthy, Peggy Pierce, David Rouillard, Claire Shattuck, Gilman Twombly, Timothy Woodbury, David

Barry, Richard Byron, Frank Cote, David Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Heath, Mary Hopper, Gary Katsiantonis, Thomas Leishman, Peter McNamara, Richard Palmer, Barry Porter, Marjorie Rowe, Robert Shaw, Barbara Vann, Ivv

Beaulieu, Jane Christensen, Chris Danielson, David Freitas, Marv Gidge, Kenneth Haefner, Robert Herbert, Christopher Belanger, James Kurk, Neal O'Brien, Michael Brown, Pamela Pellegrino, Anthony Walsh, Robert Sanborn, Laurie Snow, Kendall Williams, Kermit

MERRIMACK

Turcotte, Alan McGuire, Carol Ebel, Karen Hess, David Kenison, Linda Luneau, David Ratzki, Mario Shurtleff, Stephen

Wolf, Terry

Alicea, Caroletta Rice, Chip Gile, Mary Hirsch, Geoffrey Kidder, David MacKay, James Rogers, Katherine Wallner, Mary Jane French, Barbara Carson, Clyde French, Harold Frazer, June Kotowski, Frank Moffett, Howard Saunderson, George Wheeler, Deborah Bartlett, Christy Doherty, David Henle, Paul Karrick, David Kuch, Bill Myler, Mel Schuett, Dianne

ROCKINGHAM

Christie, Andrew Borden, David Chirichiello, Brian Devine, James Edgar, Michael Fesh, Robert Guthrie, Joseph Hoelzel, Kathleen Lovejoy, Patricia McMahon, Charles Abrami, Patrick Cahill, Michael Cushing, Robert DiFranco, Debbie Elliott, Robert Francese, Paula Hagan, Joseph Sweeney, Joe Griffin, Mary Milz, David Azarian, Gary
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Doucette, Fred
Rice, Frederick
Friel, William
Harris, Jeffrey
Ward, Joanne
Major, Norman
Nigrello, Robert

Berrien, Skip Cardon, G. Thomas DeSimone, Debra Duarte, Joe Ferrante, Beverly Ward, Gerald Heffron, Frank Katsakiores, Phyllis Matthews, Carolyn O'Connor, John

		,	
Packard, Sherman Tilton, Rio Webb, James	Pantelakos, Laura Sherman, Thomas Welch, David	Peckham, Michele Simpson, Alexis Weyler, Kenneth	Potucek, John Sytek, John
	STI	RAFFORD	
Baber, William Burton, Wayne Gray, James Smith, Marjorie Southworth, Thomas Wall, Janet	Berube, Roger Cilley, Jacalyn Horrigan, Timothy Mullen, John Spang, Judith	Bickford, David DiSesa, Len Kaen, Naida Schmidt, Peter Stevens, Audrey	Bixby, Peter Gardner, Janice Knowles, Robert Rollo, Deanna Verschueren, James
	SU	JLLIVAN	
Schmidt, Andrew Gottling, Suzanne	Cloutier, John Grenier, James	Converse, Larry Oxenham, Lee	Gagnon, Raymond Smith, Steven
	N	AYS - 106	
	B	ELKNAP	
Aldrich, Glen Howard, Raymond Vadney, Herbert	Dumais, Russell Spanos, Peter Varney, Peter	Tilton, Franklin Sylvia, Michael	Gallagher, Brian Fraser, Valerie
	C	ARROLL	
Avellani, Lino	Buco, Thomas	Comeau, Ed	
	Cl	HESHIRE	
Tilton, Benjamin	Emerson, Susan	McConnell, James	Phillips, Larry
		COOS	
Rideout, Leon	Theberge, Robert		
	G	RAFTON	
Bennett, Travis Hull, Robert	Darrow, Stephen Ingbretson, Paul	Johnson, Eric Shackett, Jeffrey	Gionet, Edmond
	HILL	SBOROUGH	
Adams, Christopher Boehm, Ralph Edelblut, Frank Fromuth, Bart Christiansen, Lars Moore, Josh Proulx, Mark Souza, Kathleen Zaricki, Nick	Ammon, Keith Bouldin, Amanda Edwards, Elizabeth Gorman, Mary Marston, Dick Murotake, David Christie, Rick Stepanek, Stephen	Griffin, Barbara Burt, John Estevez, Eric Halstead, Carolyn Martel, Andre Murphy, Keith Ober, Russell Ulery, Jordan	Balcom, John Eastman, Eric Ferreira, Elizabeth Rice, Kimberly McLean, Mark Ohm, Bill Simmons, Tammy O'Brien, William
	ME	RRIMACK	
Brewster, Michael Hoell, J.R. Patten, Dick	Long, Douglas Horn, Werner Seaworth, Brian	McGuire, Dan Marple, Richard	Hill, Gregory Martin, John
	ROC	CKINGHAM	
Abramson, Max Thomas, Douglas Introne, Robert Manning, John Prudhomme-O'Brien, Katherine	Bames, Arthur Emerick, J. Tracy Itse, Daniel McBeath, Rebecca Gordon, Richard	Bates, David Gannon, William Kappler, Lawrence McKinney, Betsy Schroadter, Adam	Cook, Allen Green, Dennis Lundgren, David Osborne, Jason True, Chris

Vose, Michael

Woitkun, Steven

STRAFFORD

Cheney, Catherine Hannon, Joseph DeLemus, Susan Jones, Laura Treleaven, Susan Graham, Robert Kaczynski, Thomas Wuelper, Kurt Groen, Warren Turcotte, Leonard

SULLIVAN

Irwin, Virginia

Pitre, Joseph

Laware, Thomas

O'Hearne, Andrew

Rollins, Skip

and the motion was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 533-FN-A-L Committee of Conference Report on SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend section 10 of the bill by replacing paragraph I with the following:

- I. In addition to any other sums appropriated for fiscal year 2017, \$2,500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.
- Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 15:
- 13 Department of Health and Human Services; Supplemental Appropriation; Bureau of Drug and Alcohol Services.
- I. In addition to any other sums appropriated for fiscal year 2017, the sum of \$500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services, bureau of drug and alcohol services to support direct grants for the creation, initiation, expansion and/or operational costs for peer recovery support services. The sum appropriated shall be awarded within 150 days after the effective date of this section. For the purposes of funding said appropriations, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a and RSA 9:17-c. Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017.
- II.(a) Existing and proposed peer recovery support services organizations shall be eligible to receive a grant, if the organization:
- (1) Is registered with the association of recovery community organizations under the Faces and Voices of Recovery:
- (2) Is accredited by, or will initiate the process of being accredited by the Council on Accreditation of Peer Recovery Support Services within 30 days of the governor and council approving the grant;
 - (3) Has an established relationship with a certified public accountant;
 - (4) Has a board of directors and has established bylaws; and

- (5) Does not receive a grant through a facilitating organization.
- (b) No more than one grant shall be awarded per regional public health network catchment area basis. The bureau shall forward information on selected grant recipients to the governor and council. No grant shall be awarded without the approval of the governor and council.
- III. Organizations that receive a grant under this section or through a facilitating organization shall file semi-annual data submissions with the department of health and human services, to prove the effectiveness of recovery services based upon addiction wellness and recovery capital index scores, or a data system that demonstrates individual addiction wellness across a continuum of care, including measurements upon the 8 dimensions of wellness criteria, or any other comparable data system recognized by the department. The department shall to the extent practical determine the cost effectiveness of recovery services and shall report its findings to the president of the senate and the speaker of the house of representatives on an annual basis beginning in fiscal year 2018.

IV. No later than December 31, 2017, the bureau of drug and alcohol services shall report to the fiscal committee of the general court the number of grants awarded, which organizations received a grant, and the total number of individuals served as a result of said grants.

14 Department of Justice; Attorney Position. For the biennium ending June 30, 2017, the department of justice is authorized, subject to the approval of the fiscal committee of the general court and the governor and council, to accept gifts, grants, and donations for the purpose of funding an assistant attorney general dedicated to prosecuting drug cases. No general fund moneys shall be expended to fund this position.

The signatures below attest to the authenticity of this Report on SB 533-FN-A-LOCAL, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission and the New Hampshire housing finance authority.

Conferees on the Part of the Senate Co

Sen. Bradley, Dist. 3 Sen. Sanborn, Dist. 9 Sen. Woodburn, Dist. 1 Conferees on the Part of the House

Rep. Kotowski, Merr. 24 Rep. Kurk, Hills. 2 Rep. Snow, Hills. 42 Rep. MacKay, Merr. 14

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill makes supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services. The bill authorizes a new assistant attorney general position dedicated to prosecuting drug cases.

Rep. Kotowski moved that the House adopt the Committee of Conference Report.

Motion adopted.

MOTION TO SUSPEND HOUSE RULES

Reps. Hunt and Carol McGuire moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to brew pub licenses and if said bill passes, to allow immediate third reading.

Rep. Hunt spoke in favor.

On a division vote, with 253 members having voted in the affirmative, and 87 in the negative, the motion was adopted by the necessary two-thirds vote.

RESOLUTION

Reps. Hunt and Carol McGuire offered the following: RESOLVED, that late introduction having been approved by a two-thirds vote of the House, House Bill numbered 1703 shall be by this resolution read a first and second time by the therein listed title. Motion adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1703-FN, relative to brew pub licenses.

CONSIDERATION OF HOUSE BILL 1703-FN

Rep. Hunt moved Ought to Pass and spoke in favor.

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 314 - NAYS 25

YEAS - 314 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
Spanos, Peter	Fraser, Valerie	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Johnsen, Gladys	Hunt, John	Roberts, Kris	Ley, Douglas
Mann, John	McConnell, James	Phillips, Larry	Robertson, Timothy
Sad Tara	Shenardson Mariorie	Sterling Franklin	•

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Bailey, Brad	Bennett, Travis	Cooney, Mary	Darrow, Stephen
Hennessey, Erin	Johnson, Eric	Gionet, Edmond	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Ladd, Rick	Hennessey, Martha
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles

Milita Andrew	Smith, Suzanne	Sykes, George	rownsend, Chanes
White, Andrew	шп	SBOROUGH	
	HILI	SBUKUUGH	
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert
Balcom, John	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Roberts, Carol
Cohen, Alan	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary
Fromuth, Bart	Smith, Gregory	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Guerette, C. Lee	Haefner, Robert	Haistead, Carolyn	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Hogan, Edith	Hopper, Gary	Belanger, James	Jack, Martin
Jeudy, Jean	Rice, Kimberly	Katsiantonis, Thomas	Kurk, Neal
Christiansen, Lars	Lachance, Joseph	LeBrun, Donald	O'Brien, Michael
Manley, Jonathan	Marston, Dick	Martel, Andre	McLean, Mark
McNamara, Richard	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Christie, Rick	Ober, Russell

Walsh, Robert Seidel, Carl Snow, Kendall Twombly, Timothy Williams, Kermit Rouillard, Claire Shattuck, Gilman Souza, Kathleen Ulery, Jordan Wolf, Terry Rowe, Robert Shaw, Barbara Stepanek, Stephen Vann, Ivy Zaricki. Nick Sanborn, Laurie Simmons, Tammy Takesian, Charlene O'Brien, William

MERRIMACK

Turcotte, Alan
Brewster, Michael
Long, Douglas
Gile, Mary
Hill, Gregory
Karrick, David
Kuch, Bill
Martin, John
Ratzki, Mario
Walsh, Thomas

Alicea, Caroletta McGuire, Carol McGuire, Dan French, Harold Hirsch, Geoffrey Kenison, Linda Luneau, David Moffett, Howard Saunderson, George Wallner, Mary Jane French, Barbara Rice, Chip Doherty, David Henle, Paul Hoell, J.R. Kidder, David MacKay, James Myler, Mel Seaworth, Brian Wheeler, Deborah

Bartlett, Christy Carson, Clyde Ebel, Karen Hess, David Horn, Werner Kotowski, Frank Marple, Richard Patten, Dick Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cardon, G. Thomas Dean-Bailey, Yvonne Doucette, Fred Emerick, J. Tracy Francese, Paula Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Lundgren, David Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Gordon, Richard Simpson, Alexis Welch, David

Abrami, Patrick Berrien, Skip Cook, Allen DeSimone, Debra Duarte, Joe Rice, Frederick Friel, William Hagan, Joseph Introne, Robert Kappler, Lawrence Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Tilton, Rio Sytek, John Weyler, Kenneth

Abramson, Max Cahill, Michael Cushing, Robert Devine, James Edgar, Michael Ferrante, Beverly Ward, Gerald Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Major, Norman McMahon, Charles Osborne, Jason Potucek, John Schroadter, Adam Vose, Michael Woitkun, Steven

Azarian, Garv Cali-Pitts, Jacqueline Thomas, Douglas DiFranco, Debbie Elliott, Robert Fesh, Robert Green, Dennis Heffron, Frank Sweeney, Joe Loveiov, Patricia Manning, John Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Sherman, Thomas Webb, James

STRAFFORD

Baber, William Bixby, Peter DiSesa, Len Groen, Warren Kaen, Naida Pitre, Joseph Stevens, Audrey Beaudoin, Steven Burton, Wayne Gardner, Janice Hannon, Joseph Knowles, Robert Rollo, Deanna Treleaven, Susan

Berube, Roger Cheney, Catherine Graham, Robert Jones, Laura Smith, Marjorie Southworth, Thomas Wall, Janet Bickford, David Cilley, Jacalyn Gray, James Kaczynski, Thomas Mullen, John Spang, Judith Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Gottling, Suzanne O'Hearne, Andrew Cloutier, John Grenier, James Oxenham, Lee Converse, Larry Irwin, Virginia Rollins, Skip

Gagnon, Raymond Laware, Thomas Smith, Steven

NAYS - 25 CARROLL

Buco, Thomas Nelson, Bill

CHESHIRE

Parkhurst, Henry Tatro, Bruce

Weber, Lucy

GRAFTON

Almy, Susan Ford, Susan

HILLSBOROUGH

Leishman, Peter Ober, Lynne Rosenwald, Cindy

Woodbury, David

Mangipudi, Latha

Porter, Marjorie

MERRIMACK

ROCKINGHAM

Rogers, Katherine Frazer, June

Schuett, Dianne

Bates, David True, Chris

Chirichiello, Brian

Gannon, William

STRAFFORD

DeLemus, Susan

Horrigan, Timothy

Turcotte, Leonard

Schmidt, Peter

and the motion was adopted and ordered to third reading.

Borden, David

RESOLUTION

Rep. Hunt moved that House Bill 1703 be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time. Motion adopted.

Third Reading and Final Passage

HB 1703-FN, relative to brew pub licenses.

INTRODUCTION OF SPECIAL GUESTS

The Sergeant-at-Arms introduced House and Joint staff.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Speaker Jasper be printed in the Permanent Journal. Without objection, the Speaker so ordered.

REMARKS

Speaker Jasper: I just thought it was appropriate that we take a few moments to thank our staff. They work so hard on our behalf. We keep them here many late nights. I know some of them have worked weekends, particularly during the budget season. They do a great job. On behalf of us, and we of course work on behalf of the people of New Hampshire, so that's what they do as well. I also think I would be remiss if I didn't thank the Senate staff, who works in cooperation with our staff, particularly the Chief of Staff, Kristy Merrill, who has done a great job working with our Chief of Staff this year. I think you have seen the results. We have had a smooth Session. Two years, really, doing a great job sometimes under some very difficult circumstances and we certainly owe them our thanks. They are truly the definition of public servants. Again, thank you all.

SENATE MESSAGE

REFUSAL TO ADOPT COMMITTEE OF CONFERENCE REPORT

HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair) MOTION TO SUSPEND HOUSE RULES

Rep. Weber moved that House Rules be so far suspended as to permit late drafting, introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee of a bill relative to conversion therapy seeking to change a person's sexual orientation, and if said bill passes, to allow immediate third reading.

Reps. William O'Brien and Bates spoke against.

Rep. Weber spoke in favor.

The Speaker accepted the previous question and debate was limited.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 142 - NAYS 180

YEAS - 142 CARROLL

Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Roberts, Kris
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	,

GRAFTON

Almy, Susan	Bennett, Travis	Cooney, Mary	Ford, Susan
Higgins, Patricia	Hennessey, Martha	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Roberts, Carol
Cohen, Alan	Cote, David	Edwards, Elizabeth	Freitas, Mary
Fromuth, Bart	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Brown, Pamela	Long, Patrick
Porter, Marjorie	Walsh, Robert	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Vann, Ivy	Williams, Kermit
Wolf, Terry	Woodbury, David	-	

MERRIMACK

Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Rice, Chip	Carson, Clyde	Doherty, David	Ebel, Karen
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Frazer, June
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Edgar, Michael

Francese, Paula Lovejoy, Patricia Schroadter, Adam	Ward, Gerald McBeath, Rebecca Sherman, Thomas	Heffron, Frank Pantelakos, Laura Simpson, Alexis	Sweeney, Joe Belanger, Ronald Sytek, John
	ST	RAFFORD	
Baber, William Gardner, Janice Schmidt, Peter Sprague, Dale Wall, Janet	Bixby, Peter Horrigan, Timothy Rollo, Deanna Stevens, Audrey	Burton, Wayne Kaen, Naida Southworth, Thomas Treleaven, Susan	Cilley, Jacalyn Smith, Marjorie Spang, Judith Verschueren, James
	S	ULLIVAN	
Schmidt, Andrew Irwin, Virginia	Cloutier, John O'Hearne, Andrew	Converse, Larry Oxenham, Lee	Gottling, Suzanne
	N	IAYS - 180	
	F	BELKNAP	
Aldrich, Glen Flanders, Donald Spanos, Peter	Dumais, Russell Gallagher, Brian Fraser, Valerie	Tilton, Franklin Howard, Raymond Vadney, Herbert	Fields, Dennis Hurt, George Varney, Peter
	C	CARROLL	
Avellani, Lino Cordelli, Glenn Parker, Harold	Buco, Thomas McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill
	C	HESHIRE	
Tilton, Benjamin Sterling, Franklin	Emerson, Susan	Hunt, John	McConnell, James
g ,		COOS	
Rideout, Leon	Tholl, John		
		GRAFTON	
Darrow, Stephen Ladd, Rick	Gionet, Edmond Piper, Wendy	Hull, Robert Shackett, Jeffrey	Ingbretson, Paul
	HILI	LSBOROUGH	
Adams, Christopher Biggie, Barbara Christensen, Chris Estevez, Eric Gagne, Larry Hinch, Richard Jeudy, Jean Ober, Lynne Moore, Josh Ohm, Bill Peterson, Ken Rouillard, Claire Simmons, Tammy Twombly, Timothy	Griffin, Barbara Boehm, Ralph Danielson, David Ferreira, Elizabeth Gonzalez, Carlos Hogan, Edith Rice, Kimberly LeBrun, Donald Murotake, David McCarthy, Peggy Pierce, David Rowe, Robert Souza, Kathleen Ulery, Jordan	Balcom, John Burt, John Donovan, Daniel Flanagan, Jack Gould, Linda Hopper, Gary Kurk, Neal Leishman, Peter Murphy, Keith Palmer, Barry Christie, Rick Sanborn, Laurie Stepanek, Stephen O'Brien, William	Barry, Richard Byron, Frank Edelblut, Frank Smith, Gregory Halstead, Carolyn Belanger, James Christiansen, Lars McLean, Mark Notter, Jeanine Pellegrino, Anthony Ober, Russell Seidel, Carl Takesian, Charlene Zaricki, Nick
		ERRIMACK	Frank (I - II
Brewster, Michael Hess, David Kidder, David Martin, John	McGuire, Carol Hill, Gregory Kotowski, Frank Seaworth, Brian	McGuire, Dan Hoell, J.R. Kuch, Bill Walsh, Thomas	French, Harold Horn, Werner Marple, Richard

ROCKINGHAM

Abramson, Max Azarian, Gary Abrami, Patrick Christie, Andrew Chirichiello, Brian Cook, Allen Bates, David Barnes, Arthur Devine, James DeSimone, Debra Dean-Bailey, Yvonne Thomas, Douglas Elliott, Robert Emerick, J. Tracy Doucette, Fred Duarte, Joe Friel, William Ferrante, Beverly Fesh, Robert Rice, Frederick Harris, Jeffrey Hagan, Joseph Guthrie, Joseph Gannon, William Itse, Daniel Ward, Joanne Introne, Robert Hoelzel, Kathleen Lundgren, David Griffin, Mary Katsakiores, Phyllis Kappler, Lawrence McMahon, Charles Matthews, Carolyn Manning, John Major, Norman O'Connor, John Osborne, Jason Nigrello, Robert Milz. David Prudhomme-O'Brien, Katherine Peckham, Michele Potucek, John Packard, Sherman Vose, Michael True, Chris Tilton, Rio Gordon, Richard Weyler, Kenneth Woitkun, Steven Welch, David Webb, James

STRAFFORD

Beaudoin, Steven Berube, Roger Bickford, David Cheney, Catherine
DeLemus, Susan Graham, Robert Gray, James Groen, Warren
Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard
Mullen, John Pitre, Joseph Wuelper, Kurt

SULLIVAN

Gagnon, Raymond Grenier, James Laware, Thomas Rollins, Skip

Smith, Steven

and the motion failed lacking the necessary two-thirds vote.

SENATE MESSAGES

ADOPTION OF COMMITTEE OF CONFERENCE REPORTS

HB 114, establishing beer specialty licenses and relative to rectifiers.

HB 280, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans.

HB 285, relative to discussion with legal counsel under the right-to-know law.

HB 353, relative to the governance of condominium unit owners' associations.

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

HB 533, relative to installation requirements for arc-fault circuit interrupters.

HB 605-FN, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

HB 606-FN-L, relative to costs for public records filed electronically.

HB 628-FN, relative to indemnification of health care provider facilities under certain circumstances.

HB 1193, relative to the wellness and primary prevention council and relative to certification of school nurses.

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

HB 1301, relative to the issuance of youth employment certificates.

HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

HB 1377, relative to receipt of absentee ballots.

HB 1396, relative to OHRV operation on certain highways in Grafton county, relative to highway surveillance at the New London park and ride, and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

HB 1547-FN, prohibiting bestiality.

HB 1584-FN, relative to body-worn cameras for law enforcement officers.

HB 1590-FN-A-L, relative to taxation of short-term rentals.

HB 1637-FN, relative to school attendance in towns with no public schools.

HB 1656-FN, relative to exceptions to the real estate transfer tax.

HB 1697-FN, relative to the operation and insurance of transportation network companies.

HB 2016, relative to the state 10-year transportation improvement program.

COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS

HB 114, establishing beer specialty licenses and relative to rectifiers. (Report printed SJ 6/1/16) Rep. Hunt moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 280, authorizing multi-use decal plates and multi-use veterans decal plates, relative to special motorcycle number plates for disabled veterans, and relative to unfair trade practices targeting veterans. (Report printed SJ 6/1/16)

Rep. Steven Smith moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 285, relative to discussion with legal counsel under the right-to-know law. (Report printed SJ 6/1/16) Rep. Hagan moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 353, relative to the governance of condominium unit owners' associations. (Report printed SJ 6/1/16) Rep. Hunt moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1. (Report printed SJ 6/1/16)

Rep. Sytek moved that the House adopt the Committee of Conference Report and spoke in favor.

Rep. Carol McGuire spoke against.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 135

YEAS - 189 BELKNAP

		DELINAI	
Tilton, Franklin Varney, Peter	Fields, Dennis	Flanders, Donald	Hurt, George
		CARROLL	
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Umberger, Karen
		CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Hunt, John
Roberts, Kris	Ley, Douglas	Phillips, Larry	Robertson, Timothy
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Movnihan, Wayne Richardson, Herbert Theberge, Robert Tholl, John Thomas, Yvonne GRAFTON Bennett, Travis Ford, Susan Higgins, Patricia Almy, Susan Ladd, Rick Hennessey, Martha Maes, Kevin Massimilla, Linda Smith, Suzanne Sykes, George Townsend, Charles Piper, Wendy

White Andrew

HILLSBOROUGH

Biggie, Barbara Backus, Robert Barry, Richard Booras, Efstathia Cohen, Alan Byron, Frank Roberus, Carol Cote. David Danielson, David Freitas, Mary Gargasz, Carolyn Goley, Jeffrey Gorman, Mary Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hinch, Richard Jack, Martin Jeudy, Jean LeBrun, Donald Leishman, Peter Mangipudi, Latha Brown, Pamela Manley, Jonathan McNamara, Richard Long, Patrick McCarthy, Peggy Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Marjorie Walsh, Robert Rosenwald, Cindy Rowe, Robert Shattuck, Gilman Shaw, Barbara Snow, Kendall Williams, Kermit Takesian, Charlene Wolf, Terry Woodbury, David Zaricki, Nick

MERRIMACK

Alicea, Caroletta French, Barbara Bartlett, Christy Rice, Chip Carson, Clyde Doherty, David Ebel, Karen Gile, Mary Hess, David Henle, Paul Frazer, June Hirsch, Geoffrey Karrick, David Kenison, Linda Kotowski, Frank Luneau, David MacKay, James Moffett, Howard Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Abrami, Patrick Azarian, Garv Berrien, Skip Borden, David Cahill, Michael Chirichiello, Brian Cushing, Robert Dean-Bailey, Yvonne DeSimone, Debra Devine, James DiFranco, Debbie Doucette, Fred Edgar, Michael Elliott, Robert Ferrante, Beverly Fesh. Robert Francese, Paula Friel, William Ward, Gerald Heffron, Frank Hagan, Joseph Hoelzel, Kathleen Sweeney, Joe Ward, Joanne Katsakiores, Phyllis Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McBeath, Rebecca McMahon, Charles Milz, David Nigrello, Robert O'Connor, John Packard, Sherman Pantelakos, Laura Potucek, John Belanger, Ronald Tilton, Rio Sherman, Thomas Simpson, Alexis Sytek, John Webb, James Woitkun, Steven

STRAFFORD

Baber, William Berube, Roger Bickford, David Bixby, Peter Burton, Wayne Cilley, Jacalyn Gardner, Janice Gray, James Horrigan, Timothy Schmidt, Peter Rollo, Deanna Southworth, Thomas Spang, Judith Stevens, Audrey Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Schmidt, Andrew Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Oxenham, Lee Rollins, Skip Smith, Steven

NAYS - 135

p	ГT	W	M	A T
D		40.		

Aldrich, Glen Dumais, Russell Gallagher, Brian Howard, Raymond Spanos, Peter Vadney, Herbert

CARROLL

CARROLL

Avellani, Lino Buco, Thomas Butler, Edward Comeau, Ed Cordelli, Glenn McCarthy, Frank Nelson, Bill Ticehurst, Susan

CHESHIRE

Tilton, Benjamin Eaton, Daniel Mann, John McConnell, James

Parkhurst, Henry

COOS

Rideout, Leon

GRAFTON

Cooney, Mary Darrow, Stephen Gionet, Edmond Hull, Robert Ingbretson, Paul Nordgren, Sharon Shackett, Jeffrey

HILLSBOROUGH

Griffin, Barbara Balcom, John Adams, Christopher Ammon, Keith Beaulieu, Jane Boehm, Ralph Burt, John Christensen, Chris Donovan, Daniel Eastman, Eric Edelblut, Frank Edwards, Elizabeth Fromuth, Bart Estevez, Eric Ferreira, Elizabeth Flanagan, Jack Gidge, Kenneth Gonzalez, Carlos Smith, Gregory Gagne, Larry Gould, Linda Haistead, Carolyn Hogan, Edith Hopper, Gary Belanger, James Rice, Kimberly Kurk, Neal Christiansen, Lars Ober, Lynne Murotake, David McLean, Mark Moore, Josh Ohm, Bill Christie. Rick Murphy, Keith Notter, Jeanine Ober, Russell Rouillard, Claire Sanborn, Laurie Seidel, Carl Simmons, Tammy Souza, Kathleen Stepanek, Stephen Twombly, Timothy O'Brien, William Ulery, Jordan Vann, Ivy

MERRIMACK

McGuire, Carol McGuire, Dan Turcotte, Alan Brewster, Michael French, Harold Hill, Gregory Hoell, J.R. Horn, Werner Kidder, David Kuch, Bill Marple, Richard Martin, John Patten, Dick Seaworth, Brian Wheeler, Deborah Myler, Mei

ROCKINGHAM

Barnes, Arthur Bates, David Cali-Pitts, Jacqueline Abramson, Max Thomas, Douglas Cardon, G. Thomas Cook, Allen Duarte, Joe Gannon, William Guthrie, Joseph Emerick, J. Tracy Rice. Frederick Kappler, Lawrence Harris, Jeffrey Introne, Robert Itse. Daniel Peckham, Michele Lovejoy, Patricia Lundgren, David Osborne, Jason True, Chris Schroadter, Adam Prudhomme-O'Brien, Katherine Gordon, Richard Welch, David Weyler, Kenneth Vose, Michael

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Graham, Robert Jones, Laura Kaczynski, Thomas Groen, Warren Hannon, Joseph Smith, Marjorie Kaen, Naida Knowles, Robert Turcotte, Leonard Pitre, Joseph Wuelper, Kurt Mullen, John Sprague, Dale

SULLIVAN

Laware, Thomas and the motion was adopted.

MOTION TO PRINT REMARKS

Rep. Eaton moved that the remarks made by Rep. Sytek be printed in the Permanent Journal. Motion adopted.

REMARKS

Representative Sytek: Thank you, Mister Speaker. I listened attentively to the Representative from Epsom and she's quite correct in the fact that the effective date has been changed. The plain fact is that nobody is going to understand that Encyclopedia Britannica in 2018 or 2500. What we are entrusting, and it's a matter of trust, is our word from the Fire Marshal, who has not doublecrossed me in my experience here, that the enforcement agencies, including testimonies from my own Fire Chief in Salem, are that these people are willing to work with the homeowners, with manufacturers, with builders. There are exceptions in place that they will continue. The life safety code, as was passed by this House on a voice vote on March 11. While the Representative have brought up a valid point, I don't think it has any practical merit and I think that New Hampshire wants to follow the most recent reasonable codes, be it the building code, the life safety code or the fire safety code. We are accepting the life. I'll recap the blurb. We are accepting the life safety code, the Senate is. They want to study the fire safety code and what we're going to do. If I am successful here, I'm going to spoil my summer I guess on this thing to study that. How do we study an Encyclopedia like this? We bring in representatives from the building trades, from enforcement, and we as a policy committee try to find out, are the jury, try to find out what is the right thing to do. There is no way that anyone here is going to study that code so having acknowledged and respecting the representative from Epsom's valid point. The fact is we've done this kind of thing before. This works and I ask you to support the Committee of Conference. Thank you, Mister Speaker.

(Rep. Shurtleff in the Chair)

COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILLS (CONT'D)

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Report printed SJ 6/1/16)

Rep. Hinch moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 533, relative to installation requirements for arc-fault circuit interrupters. (Report printed SJ 6/1/16)

Rep. Andrew Christie moved that the House adopt the Committee of Conference Report.

On a division vote, with 302 members having voted in the affirmative, and 15 in the negative, the motion was adopted.

HB 605-FN, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state. (Report printed SJ 6/1/16)

Rep. Tholl moved that the House adopt the Committee of Conference Report.

Rep. Burt requested a roll call; sufficiently seconded.

Umberger, Karen

Schmidt, Stephen

YEAS 311 - NAYS 7

YEAS - 311 BELKNAP

Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Flanders, Donald	Gallagher, Brian	Howard, Raymond	Hurt, George
Spanos, Peter	Fraser, Valerie	Vadney, Herbert	Varney, Peter
		CARROLL	
Avellani, Lino	Buco, Thomas	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold

CHESHIRE

Abbott, Michael Bordenet, John Johnsen, Gladys McConnell, James Sterling, Franklin Ames, Richard Chase, Cynthia Hunt, John Parkhurst, Henry Tatro, Bruce Tilton, Benjamin Eaton, Daniel Ley, Douglas Robertson, Timothy Weber, Lucy Berch, Paul Ernerson, Susan Mann, John Shepardson, Mariorie

COOS

Fothergill, John Richardson, Herbert Thomas, Yvonne Froburg, Alethea Rideout, Leon Hatch, William Theberge, Robert

Moynihan, Wayne Tholi, John

GRAFTON

Almy, Susan Ford, Susan Ingbretson, Paul Nordgren, Sharon Sykes, George

Bennett, Travis Gionet, Edmond Ladd, Rick Piper, Wendy Townsend, Charles Cooney, Mary Higgins, Patricia Maes, Kevin Shackett, Jeffrey White, Andrew Darrow, Stephen Hull, Robert Massimilla, Linda Smith, Suzanne

HILLSBOROUGH

Adams, Christopher Balcom, John Biggie, Barbara Byron, Frank Cote, David Eastman, Eric Ferreira, Elizabeth Gagne, Larry Gorman, Marv Hansberry, Daniel Hinch, Richard Jack, Martin Ober, Lynne Mangipudi, Latha Murotake, David Brown, Pamela Peterson, Ken Ober, Russell Rowe, Robert Shaw, Barbara Takesian, Charlene O'Brien, William Zaricki, Nick

Ammon, Keith Baroody, Benjamin Boehm, Ralph Christensen, Chris Danielson, David Edelblut, Frank Freitas, Mary Gargasz, Carolyn Gould, Linda Harvey, Suzanne Hogan, Edith Jeudy, Jean LeBrun, Donald Manley, Jonathan Murphy, Keith Long, Patrick Pierce, David Walsh, Robert Sanborn, Laurie Simmons, Tammy Twombly, Timothy Williams, Kermit

Griffin, Barbara Barry, Richard Booras, Efstathia Roberts, Carol DiSilvestro, Linda Edwards, Elizabeth Fromuth, Bart Gidge, Kenneth Guerette, C. Lee Heath, Mary Hopper, Gary Rice, Kimberly Leishman, Peter McLean, Mark Notter, Jeanine McCarthy, Peggy Porter. Mariorie Rosenwald, Cindy Seidel, Carl Snow, Kendali Ulery, Jordan Wolf, Terry

Backus, Robert Beaulieu, Jane Burt, John Cohen, Alan Donovan, Daniel Estevez, Eric Smith, Gregory Gonzalez, Carlos Halstead, Carolyn Herbert, Christopher Belanger, James Kurk, Neal O'Brien, Michael Moore, Josh Ohm, Bill Pellegrino, Anthony Christie. Rick Rouillard, Claire Shattuck, Gilman Souza, Kathleen Vann, Ivy Woodbury, David

MERRIMACK

Turcotte, Alan Brewster, Michael McGuire, Dan French, Harold Hirsch, Geoffrey Karrick, David Kuch, Bill Martin, John Ratzki, Mario Seaworth, Brian

Alicea, Caroletta McGuire, Carol Doherty, David Henle, Paul Hoell, J.R. Kenison, Linda Luneau, David Moffett, Howard Rogers, Katherine Walsh, Thomas French, Barbara Rice, Chip Ebel, Karen Hess, David Horn, Werner Kidder, David MacKay, James Myler, Mel Saunderson, George Wallner, Mary Jane Bartlett, Christy Carson, Clyde Gile, Mary Hill, Gregory Frazer, June Kotowski, Frank Marple, Richard Patten, Dick Schuett, Dianne Wheeler, Deborah

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cahill, Michael Cushing, Robert Devine, James Edgar, Michael Ferrante, Beverly Ward, Gerald Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Major, Norman McMahon, Charles Osborne, Jason Potucek, John Tilton, Rio Sytek, John Weyler, Kenneth

Abrami. Patrick Bates, David Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Elliott, Robert Fesh, Robert Gannon, William Heffron, Frank Sweeney, Joe Lovejoy, Patricia Manning, John Milz. David Packard, Sherman Prudhomme-O'Brien, Katherine Belanger, Ronald Schroadter, Adam True, Chris Woitkun, Steven

Abramson, Max Berrien, Skip Chirichiello, Brian Dean-Bailey, Yvonne Doucette, Fred Emerick, J. Tracy Francese, Paula Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Lundgren, David Matthews, Carolyn Nigrello, Robert Pantelakos, Laura Sherman, Thomas Vose, Michael

Azarian, Gary Borden, David Cook, Allen DeSimone, Debra Duarte, Joe Rice. Frederick Friel, William Hagan, Joseph Introne, Robert Kappler, Lawrence Griffin, Mary McBeath, Rebecca O'Connor, John Peckham, Michele Gordon, Richard Simpson, Alexis Welch, David

STRAFFORD

Baber, William Bixby, Peter DeLemus, Susan Groen, Warren Kaczynski, Thomas Smith, Marjorie Rollo, Deanna Stevens, Audrey

Beaudoin, Steven Burton, Wayne Gardner, Janice Hannon, Joseph Kaen, Naida Mullen, John Southworth, Thomas Treleaven, Susan

Berube, Roger Cheney, Catherine Graham, Robert Horrigan, Timothy Knowles, Robert Schmidt, Peter Spang, Judith Wall, Janet

Bickford, David Cilley, Jacalyn Gray, James Jones, Laura Turcotte, Leonard Pitre, Joseph Sprague, Dale Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Grenier, James Oxenham, Lee

Cloutier, John Irwin, Virginia Rollins, Skip

Gagnon, Raymond Laware, Thomas Smith, Steven

Gottling, Suzanne O'Hearne, Andrew

CARROLL

Butler, Edward

Ticehurst, Susan

CHESHIRE

NAYS - 7

Phillips, Larry

HILLSBOROUGH

Christiansen, Lars

Palmer, Barry

ROCKINGHAM

Cali-Pitts, Jacqueline

SULLIVAN

Converse, Larry

and the motion was adopted.

HB 606-FN-L, relative to costs for public records filed electronically. (Report printed SJ 6/1/16) Rep. Hagan moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 628-FN, relative to indemnification of health care provider facilities under certain circumstances. (Report printed SJ 6/1/16)

Rep. Fothergill moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1193, relative to the wellness and primary prevention council and relative to certification of school nurses. (Report printed SJ 6/1/16)

Rep. LeBrun moved that the House adopt the Committee of Conference Report.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 131

YEAS	- 1	82
BELK	N.A	۸P

Tilton, Franklin Fields, Dennis Flanders, Donald

CARROLL

Buco, Thomas Butler, Edward Nelson, Bill Parker, Harold Schmidt, Stephen Ticehurst, Susan Umberger, Karen

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Emerson, Susan Johnsen, Gladys Hunt, John Mann, John Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Tholl, John Thomas, Yvonne

GRAFTON

Almy, Susan Bennett, Travis Cooney, Mary Ford, Susan Gionet, Edmond Higgins, Patricia Maes, Kevin Massimilla, Linda Nordgren, Sharon Shackett, Jeffrey Smith, Suzanne Sykes, George Townsend, Charles White. Andrew

HILLSBOROUGH

Backus, Robert Balcom, John Baroody, Benjamin Barry, Richard Biggie, Barbara Booras, Efstathia Roberts, Carol Cohen, Alan Cote, David Danielson, David Donovan, Daniel DiSilvestro, Linda Freitas, Mary Gagne, Larry Gargasz, Carolyn Gidge, Kenneth Guerette, C. Lee Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hinch, Richard Jack, Martin Jeudy, Jean LeBrun, Donald Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard Brown, Pamela Long, Patrick McCarthy, Peggy Palmer, Barry Peterson, Ken Pierce, David Porter, Mariorie Walsh, Robert Rosenwald, Cindy Rowe, Robert Seidel, Carl Shattuck, Gilman Shaw, Barbara Snow, Kendall Takesian, Charlene Vann, Ivy Williams, Kermit Wolf, Terry Woodbury, David

MERRIMACK

Turcotte, Alan Alicea. Caroletta French, Barbara Bartlett, Christy Carson, Clyde Rice, Chip Doherty, David Ebel, Karen Gile, Mary Henle, Paul Hess. David Hirsch, Geoffrey Frazer, June Karrick, David Kenison, Linda Kidder, David Kotowski, Frank Luneau, David MacKay, James Myler, Mel Patten, Dick Ratzki, Mario Rogers, Katherine Saunderson, George Schuett, Dianne Waliner, Mary Jane

ROCKINGHAM

	RU	CKINGHAM	
Christie, Andrew Borden, David	Abrami, Patrick Cahill, Michael	Azarian, Gary Cushing, Robert	Berrien, Skip DeSimone, Debra
Devine, James	DiFranco, Debbie	Edgar, Michael	Elliott, Robert
Fesh, Robert	Francese, Paula	Friel, William	Ward, Gerald
Gannon, William	Guthrie, Joseph	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Sweeney, Joe	Griffin, Mary	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Pantelakos, Laura	Belanger, Ronald
Tilton, Rio	Sherman, Thomas	Webb, James	Welch, David
	ST	RAFFORD	
Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Gardner, Janice	Gray, James	Horrigan, Timothy
Kaen, Naida	Smith, Marjorie	Schmidt, Peter	Rollo, Deanna
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet		
	_	ULLIVAN	
Schmidt, Andrew	Cloutier, John	Converse, Larry	Gagnon, Raymond Smith, Steven
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Simuri, Steven
	_	NAYS - 131	
]	BELKNAP	
Aldrich, Glen	Dumais, Russell	Gallagher, Brian	Howard, Raymond
Hurt, George	Spanos, Peter	Fraser, Valerie	Vadney, Herbert
Varney, Peter			
		CARROLL	
Avellani, Lino McConkey, Mark	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
	(CHESHIRE	
Tilton, Benjamin	Ley, Douglas	McConnell, James	Parkhurst, Henry
Sterling, Franklin	Loy, Douglas	mooning dames	,,
3 .		COOS	
	Pill of Loren		
Richardson, Herbert	Rideout, Leon	Theberge, Robert	
		GRAFTON	
Darrow, Stephen Piper, Wendy	Hull, Robert	Ingbretson, Paul	Ladd, Rick
	HIL	LSBOROUGH	
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Beaulieu, Jane
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Smith, Gregory	Gonzalez, Carlos
Gorman, Mary	Gould, Linda	Haefner, Robert	Halstead, Carolyn
Hogan, Edith	Hopper, Gary	Belanger, James	Rice, Kimberly
Kurk, Neal	Ober, Lynne	McLean, Mark	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Pellegrino, Anthony
Christie, Rick	Ober, Russell	Rouillard, Claire	Sanborn, Laurie
Simmons, Tammy	Souza, Kathleen	Twombly, Timothy	Ulery, Jordan

O'Brien, William

Zaricki, Nick

MERRIMACK

Brewster, Michael	McGuire, Carol	McGuire, Dan	French, Harold
Hill, Gregory	Hoell, J.R.	Horn, Werner	
Marple, Richard	Martin, John	Seaworth, Brian	Kuch, Bill Wheeler, Deborah

ROCKINGHAM

Abramson, Max Cardon, G. Thomas Emerick, J. Tracy Introne, Robert Katsakiores, Phyllis Osborne, Jason Prudhomme-O'Brien, Katherine True. Chris		Bates, David Thomas, Douglas Ferrante, Beverly Ward, Joanne Lundgren, David Peckham, Michele Schroadter, Adam	Cali-Pitts, Jacqueline Duarte, Joe Harris, Jeffrey Kappler, Lawrence Manning, John Potucek, John Sytek, John
True, Chris	Vose, Michael	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Mullen, John
Pitre, Joseph	Wuelper, Kurt	•	,

SULLIVAN

Grenier, James	Laware, Thomas	Oxenham, Lee	Rollins, Skip
and the motion was adopted.			, ,

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

(Speaker Jasper in the Chair)

HB 1301, relative to the issuance of youth employment certificates. (Report printed SJ 6/1/16) Rep. Hill moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Motion adopted.

HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1377, relative to receipt of absentee ballots. (Report printed SJ 6/1/16)

Rep. Hoelzel moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1396, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (Report printed SJ 6/1/16)

Rep. Steven Smith moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards

and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Report printed SJ 6/1/16) Rep. Lynne Ober moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Report printed SJ 6/1/16)

Rep. Gray moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1547-FN, prohibiting bestiality. (Report printed SJ 6/1/16)

Rep. Tholl moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1584-FN, relative to body-worn cameras for law enforcement officers. (Report printed SJ 6/1/16) Rep. Tholl moved that the House adopt the Committee of Conference Report. Motion adopted.

HB 1590-FN-A-L, relative to taxation of short-term rentals. (Report printed SJ 6/1/16)

Rep. Hunt moved that the House adopt the Committee of Conference Report.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 127

		YEAS - 189	
		BELKNAP	
dore	Donald	Gallagher	

	1	BELKNAP	
Fields, Dennis	Flanders, Donald	Gallagher, Brian	
	(CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Hunt, John
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy Weber, Lucy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
110001, 2009		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John	Thomas, Yvonne	
		GRAFTON	
Almy, Susan	Bennett, Travis	Cooney, Mary	Ford, Susan
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		
	HIL	LSBOROUGH	
Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Dinnia Darbara	Doorgo Efetathia	Christopeon Chris	Pohorte Carol

Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Biggie, Barbara	Booras, Efstathia	Christensen, Chris	Roberts, Carol
Cohen, Alan	Cote, David	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Freitas, Mary	Gagne, Larry	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard

House Journal June 1, 2016

Jack, Martin Leishman, Peter McNamara, Richard Pierce, David Rowe, Robert Takesian, Charlene Woodbury, David Jeudy, Jean O'Brien, Michael Brown, Pamela Porter, Marjorie Shattuck, Gilman Vann, Ivv

Kurk, Neal Mangipudi, Latha Long, Patrick Walsh, Robert Shaw, Barbara Williams, Kermit Christiansen, Lars Manley, Jonathan Peterson, Ken Rosenwald, Cindy Snow, Kendall Wolf, Terry

MERRIMACK

Carson, Clyde French, Harold Frazer, June Kotowski, Frank Patten, Dick Schuett, Dianne

Wheeler, Deborah

Alicea, Caroletta

French, Barbara Doherty, David Henle, Paul Karrick, David Luneau, David Ratzki, Mario Shurtleff, Stephen

Bartlett, Christy Ebel, Karen Hess, David Kenison, Linda MacKay, James Rogers, Katherine Walsh, Thomas Rice, Chip Gile, Mary Hirsch, Geoffrey Kidder, David Myler, Mel Saunderson, George Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Cahill, Michael DeSimone, Debra Elliott, Robert Ward, Gerald Heffron, Frank Major, Norman Nigrello, Robert Sytek, John

Abrami, Patrick Cali-Pitts, Jacqueline Devine, James Fesh, Robert Guthrie, Joseph Hoelzel, Kathleen Manning, John Packard, Sherman Webb, James Berrien, Skip Cardon, G. Thomas DiFranco, Debbie Francese, Paula Hagan, Joseph Sweeney, Joe Matthews, Carolyn Pantelakos, Laura Welch, David

Borden, David Cushing, Robert Edgar, Michael Friel, William Harris, Jeffrey Lovejoy, Patricia McBeath, Rebecca Tilton, Rio Weyler, Kenneth

STRAFFORD

Baber, William Burton, Wayne Kaen, Naida Spang, Judith Wall, Janet Berube, Roger Cilley, Jacalyn Schmidt, Peter Sprague, Dale Bickford, David Gardner, Janice Rollo, Deanna Stevens, Audrey Bixby, Peter Gray, James Southworth, Thomas Treleaven, Susan

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Oxenham, Lee Cloutier, John Grenier, James Smith, Steven Converse, Larry Irwin, Virginia

Gagnon, Raymond O'Hearne, Andrew

NAYS - 127 BELKNAP

Aldrich, Glen Hurt, George Varney, Peter Dumais, Russell Spanos, Peter Tilton, Franklin Fraser, Valerie

Howard, Raymond Vadney, Herbert

CARROLL

Avellani, Lino McConkey, Mark Comeau, Ed Parker, Harold

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Tilton, Benjamin

Eaton, Daniel

McConnell, James

Sterling, Franklin

COOS

Richardson, Herbert

Rideout, Leon

GRAFTON

UKAI TON				
Darrow, Stephen	Gionet, Edmond	Hull, Robert	Ingbretson, Paul	
	HILLSB	OROUGH		
Adams, Christopher Boehm, Ralph Eastman, Eric Ferreira, Elizabeth Gonzalez, Carlos Belanger, James McLean, Mark Notter, Jeanine Pellegrino, Anthony Sanborn, Laurie	Ammon, Keith Burt, John Edelblut, Frank Fromuth, Bart Gould, Linda Rice, Kimberly Moore, Josh Ohm, Bill Christie, Rick Seidel, Carl	Griffin, Barbara Byron, Frank Edwards, Elizabeth Smith, Gregory Halstead, Carolyn Ober, Lynne Murotake, David McCarthy, Peggy Ober, Russell Simmons, Tammy	Balcom, John Donovan, Daniel Estevez, Eric Gargasz, Carolyn Hogan, Edith LeBrun, Donald Murphy, Keith Palmer, Barry Rouillard, Claire Souza, Kathleen Zaricki, Nick	
Twombly, Timothy	Ulery, Jordan	O'Brien, William	Zancki, Nick	
	MERI	RIMACK		
Turcotte, Alan Hill, Gregory Marple, Richard	Brewster, Michael Hoell, J.R. Martin, John	McGuire, Carol Horn, Werner Seaworth, Brian	McGuire, Dan Kuch, Bill	
ROCKINGHAM				
Abramson, Max Chirichiello, Brian Duarte, Joe Gannon, William Kappler, Lawrence O'Connor, John Prudhomme-O'Brien, Katherine Vose, Michael	Azarian, Gary Cook, Allen Emerick, J. Tracy Introne, Robert Katsakiores, Phyllis Osborne, Jason Gordon, Richard Woitkun, Steven	Barnes, Arthur Thomas, Douglas Rice, Frederick Itse, Daniel Griffin, Mary Peckham, Michele Schroadter, Adam	Bates, David Dean-Bailey, Yvonne Ferrante, Beverly Ward, Joanne McMahon, Charles Potucek, John True, Chris	
STRAFFORD				
Beaudoin, Steven Groen, Warren Kaczynski, Thomas Mullen, John	Cheney, Catherine Hannon, Joseph Knowles, Robert Pitre, Joseph	DeLemus, Susan Horrigan, Timothy Turcotte, Leonard Wuelper, Kurt	Graham, Robert Jones, Laura Smith, Marjorie	

SULLIVAN

Rollins, Skip Laware, Thomas and the motion was adopted.

HB 1637-FN, relative to school attendance in towns with no public schools. (Report printed SJ 6/1/16) Rep. Ladd moved that the House adopt the Committee of Conference Report and spoke in favor.

Rep. Gile spoke against and yielded to questions.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 190 - NAYS 132

YEAS - 190 BELKNAP

Aldrich, Glen Flanders, Donald Spanos, Peter	Dumais, Russell Gallagher, Brian Fraser, Valerie	Tilton, Franklin Howard, Raymond Vadney, Herbert	Fields, Dennis Hurt, George Varney, Peter
		CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn

McCarthy, Frank Schmidt, Stephen McConkey, Mark Umberger, Karen Nelson, Bill

Parker, Harold

CHESHIRE

Tilton, Benjamin Sterling, Franklin Emerson, Susan

Hunt, John

McConnell, James

COOS

Fothergill, John Tholl, John

Moynihan, Wayne

Richardson, Herbert

Rideout, Leon

GRAFTON

Darrow, Stephen Ladd, Rick

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Barry, Richard Byron, Frank Eastman, Eric Ferreira, Elizabeth Gagne, Larry Gould, Linda Hogan, Edith Kurk, Neal McLean, Mark Notter, Jeanine Pellegrino, Anthony Ober, Russell Sanborn, Laurie Souza, Kathleen O'Brien, William

Ammon, Keith Biggie, Barbara Christensen, Chris Edelblut, Frank Flanagan, Jack Gargasz, Carolyn Haefner, Robert Belanger, James Christiansen, Lars Moore, Josh Ohm. Bill Peterson, Ken Walsh, Robert Seidel, Carl Takesian, Charlene Wolf, Terry

Griffin, Barbara Boehm, Ralph Danielson, David Edwards, Elizabeth Fromuth, Bart Gidge, Kenneth Halstead, Carolyn Jeudy, Jean Ober, Lynne Murotake, David McCarthy, Peggy Pierce, David Rouillard, Claire Shaw, Barbara Twombly, Timothy Zaricki, Nick

Balcom, John Burt, John Donovan, Daniel Estevez, Eric Smith, Gregory Gonzalez, Carlos Hinch, Richard Rice, Kimberly LeBrun, Donald Murphy, Keith Palmer, Barry Christie, Rick Rowe, Robert Simmons, Tammy Ulery, Jordan

MERRIMACK

Brewster, Michael Hess, David Kidder, David Martin, John

McGuire, Carol Hill, Gregory Kotowski, Frank Seaworth, Brian

McGuire, Dan Hoell, J.R. Kuch, Bill Walsh, Thomas

French, Harold Horn, Werner Marple, Richard

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cook, Allen Devine, James Rice, Frederick Gannon, William Hoelzel, Kathleen Ward, Joanne Major, Norman Milz, David Packard, Sherman Belanger, Ronald Sytek, John

Abrami, Patrick Bates, David Thomas, Douglas Duarte, Joe Ferrante, Beverly Guthrie, Joseph Introne, Robert Kappler, Lawrence Manning, John Nigrello, Robert Peckham, Michele Gordon, Richard True, Chris Weyler, Kenneth

Abramson, Max Cardon, G. Thomas Dean-Bailey, Yvonne Elliott, Robert Fesh, Robert Hagan, Joseph Itse. Daniel Katsakiores, Phyllis Matthews, Carolyn O'Connor, John Potucek, John Tilton, Rio Vose, Michael

Azarian, Gary Chirichiello, Brian DeSimone, Debra Emerick, J. Tracv Friel, William Harris, Jeffrey Sweeney, Joe Griffin, Mary McMahon, Charles Osborne, Jason Prudhomme-O'Brien, Katherine Schroadter, Adam

STRAFFORD

Beaudoin, Steven Graham, Robert Jones, Laura Mullen, John

Welch, David

Bickford, David Gray, James Kaczynski, Thomas Pitre, Joseph

Cheney, Catherine Groen, Warren Knowles, Robert Wuelper, Kurt

DeLemus, Susan Hannon, Joseph Turcotte, Leonard

Webb, James

SULLIVAN

Laware, Thomas Gottling, Suzanne Grenier, James Gagnon, Raymond Smith, Steven Rollins, Skip **NAYS - 132** CARROLL Ticehurst, Susan Butler, Edward Buco, Thomas **CHESHIRE** Bordenet, John Berch, Paul Ames, Richard Abbott, Michael Ley, Douglas Eaton, Daniel Johnsen, Gladys Chase, Cynthia Robertson, Timothy Phillips, Larry Mann, John Parkhurst, Henry Weber, Lucy Tatro, Bruce Shepardson, Marjorie Sad. Tara COOS Thomas, Yvonne Hatch, William Theberge, Robert Froburg, Alethea GRAFTON Ford, Susan Cooney, Mary Almy, Susan Bennett, Travis Maes, Kevin Massimilla, Linda Higgins, Patricia Hennessey, Martha Sykes, George Nordgren, Sharon Piper, Wendy Smith. Suzanne White, Andrew Townsend, Charles HILLSBOROUGH Beaulieu, Jane Booras, Efstathia Baroody, Benjamin Backus, Robert DiSilvestro, Linda Cohen, Alan Cote, David Roberts, Carol Hansberry, Daniel Gorman, Mary Goley, Jeffrey Freitas, Mary Herbert, Christopher Jack, Martin Harvey, Suzanne Heath, Mary Manley, Jonathan O'Brien, Michael Mangipudi, Latha Leishman, Peter Porter, Marjorie McNamara, Richard Brown, Pamela Long, Patrick Vann, Ivv Shattuck, Gilman Snow, Kendall Rosenwald, Cindy Woodbury, David Williams, Kermit MERRIMACK Bartlett, Christy Alicea. Caroletta French, Barbara Turcotte, Alan Doherty, David Ebel, Karen Carson, Clyde Rice, Chip Frazer, June Gile, Mary Henle, Paul Hirsch, Geoffrey Luneau, David MacKay, James Kenison, Linda Karrick, David Rogers, Katherine Patten, Dick Ratzki, Mario Myler, Mel Wallner, Mary Jane Schuett, Dianne Shurtleff, Stephen Saunderson, George Wheeler, Deborah ROCKINGHAM Cali-Pitts, Jacqueline Cahill, Michael Borden, David Berrien, Skip Francese, Paula DiFranco, Debbie Edgar, Michael Cushing, Robert McBeath, Rebecca Ward, Gerald Heffron, Frank Lovejoy, Patricia Woitkun, Steven Simpson, Alexis Pantelakos, Laura Sherman, Thomas STRAFFORD Burton, Wayne Bixby, Peter Berube, Roger Baber, William Gardner, Janice Horrigan, Timothy Kaen, Naida Cilley, Jacalyn Rollo, Deanna Southworth, Thomas Smith, Marjorie Schmidt, Peter Treleaven, Susan Stevens, Audrey Sprague, Dale Spang, Judith Wall, Janet Verschueren, James SULLIVAN Irwin, Virginia Cloutier, John Converse, Larry Schmidt, Andrew

O'Hearne, Andrew

and the motion was adopted.

Oxenham, Lee

Aldrich Clan

HB 1656-FN, relative to exceptions to the real estate transfer tax. (Report printed SJ 6/1/16) Rep. Abrami moved that the House adopt the Committee of Conference Report. Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 311 - NAYS 11

YEAS - 311 BELKNAP

Flanders, Donald Spanos, Peter	Gallagher, Brian Fraser, Valerie	l ilton, Franklin Howard, Raymond Vadney, Herbert	Fields, Dennis Hurt, George Varney, Peter
		CARROLL	
Avellani, Lino Cordelli, Glenn Parker, Harold	Butler, Edward McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Ticehurst, Susan	Comeau, Ed Nelson, Bill Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	Ley, Douglas	Mann, John	McConnell, James
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Almy, Susan	Bennett, Travis	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Hull, Robert
Ingbretson, Paul	Ladd, Rick	Hennessey, Martha	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew	,	-,, a.c., g.

HILLSROPOUGH

	HILI	HILLSBOROUGH		
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Backus, Robert	
Balcom, John	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Burt, John	
Byron, Frank	Christensen, Chris	Roberts, Carol	Cohen, Alan	
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel	
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	
Ferreira, Elizabeth	Flanagan, Jack	Freitas, Mary	Fromuth, Bart	
Smith, Gregory	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth	
Goley, Jeffrey	Gonzalez, Carlos	Gould, Linda	Guerette, C. Lee	
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Harvey, Suzanne	
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hogan, Edith	
Belanger, James	Jack, Martin	Jeudy, Jean	Rice, Kimberly	
Kurk, Neal	Christiansen, Lars	Ober, Lynne	LeBrun, Donald	
Leishman, Peter	O'Brien, Michael	Manley, Jonathan	McLean, Mark	
McNamara, Richard	Moore, Josh	Murotake, David	Murphy, Keith	
Notter, Jeanine	Ohm, Bill	Brown, Pamela	Long, Patrick	
McCarthy, Peggy	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	
Pierce, David	Porter, Marjorie	Christie, Rick	Ober, Russell	
Walsh, Robert	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	
Sanborn, Laurie	Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	

Simmons, Tammy Twombly, Timothy Williams, Kermit Snow, Kendall Ulery, Jordan Wolf, Terry Souza, Kathleen Vann, Ivy Woodbury, David Takesian, Charlene O'Brien, William Zaricki, Nick

MERRIMACK

Turcotte, Alan Brewster, Michael McGuire, Dan French, Harold Horn, Werner Kidder, David MacKay, James Patten, Dick Schuett, Dianne Wallner, Mary Jane Alicea, Caroletta McGuire, Carol Doherty, David Henle, Paul Frazer, June Kotowski, Frank Marple, Richard Ratzki, Mario Seaworth, Brian Wheeler. Deborah French, Barbara Rice, Chip Ebel, Karen Hill, Gregory Karrick, David Kuch, Bill Martin, John Rogers, Katherine Shurtleff, Stephen

Bartlett, Christy Carson, Clyde Gile, Mary Hoell, J.R. Kenison, Linda Luneau, David Myler, Mel Saunderson, Geo

Saunderson, George Walsh, Thomas

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cahill, Michael Cook, Allen DeSimone, Debra Edgar, Michael Ferrante, Beverly Ward, Gerald Harris, Jeffrey Itse, Daniel Katsakiores, Phyllis Manning, John Nigrello, Robert Pantelakos, Laura Belanger, Ronald Sherman, Thomas Vose, Michael Woitkun, Steven

Abrami, Patrick Bates, David Cali-Pitts, Jacqueline Cushing, Robert Devine, James Elliott. Robert Fesh, Robert Gannon, William Heffron, Frank Sweeney, Joe Lovejoy, Patricia Matthews, Carolyn O'Connor, John Peckham, Michele Gordon, Richard Simpson, Alexis Webb, James

Abramson, Max Berrien, Skip Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Emerick, J. Tracy Francese, Paula Guthrie, Joseph Hoelzel, Kathleen Ward, Joanne Griffin, Mary McMahon, Charles Osborne, Jason Potucek, John Tilton, Rio Sytek, John Welch, David

Azarian, Gary Borden, David Chirichiello, Brian Dean-Bailey, Yvonne Duarte, Joe Rice, Frederick Friel, William Hagan, Joseph Introne, Robert Kappier, Lawrence Major, Norman Milz, David Packard, Sherman Prudhomme-O'Brien, Katherine Schroadter, Adam True, Chris Weyler, Kenneth

STRAFFORD

Baber, William Bixby, Peter DeLemus, Susan Groen, Warren Kaczynski, Thomas Mullen, John Southworth, Thomas Treleaven, Susan Beaudoin, Steven Burton, Wayne Gardner, Janice Hannon, Joseph Knowles, Robert Schmidt, Peter Spang, Judith Verschueren, James Berube, Roger Cheney, Catherine Graham, Robert Horrigan, Timothy Turcotte, Leonard Pitre, Joseph Sprague, Dale Wall, Janet

Bickford, David Cilley, Jacalyn Gray, James Jones, Laura Smith, Marjorie Rollo, Deanna Stevens, Audrey Wuelper, Kurt

SULLIVAN

Schmidt, Andrew Gottling, Suzanne Smith, Steven Cloutier, John Grenier, James Converse, Larry Laware, Thomas Gagnon, Raymond Rollins, Skip

NAYS - 11 CARROLL

Buco, Thomas

CHESHIRE

Johnsen, Gladys

GRAFTON

Nordgren, Sharon

HILLSBOROUGH

Mangipudi, Latha

MERRIMACK

Hess, David

Hirsch, Geoffrey

ROCKINGHAM

McBeath, Rebecca

STRAFFORD

Kaen, Naida

SULLIVAN

Irwin, Virginia

O'Hearne, Andrew

Oxenham, Lee

and the motion was adopted.

HB 1697-FN, relative to the operation and insurance of transportation network companies. (Report printed SJ 6/1/16)

Rep. Steven Smith moved that the House adopt the Committee of Conference Report. Motion adopted.

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HB 2016, relative to the state 10-year transportation improvement program. (Report printed SJ 6/1/16) Reps. Chandler moved that the House adopt the Committee of Conference Report. Motion adopted.

COMMUNICATION

May 24, 2016 Hon. Shawn Jasper, Speaker NH House of Representatives State House Concord, NH 03301

Subject: Resignation

Dear Speaker Jasper:

On the 23 of May I was selected by the Hillsborough County delegation to be the replacement county commissioner for the balance of this term. Since the position of county commissioner and House representative are not compatible offices under the laws of New Hampshire, I must tender my resignation. It is my plan to delay my being sworn in as a county commissioner until I have completed my committee of conference tasks and report to the House on June 1st. I request that my resignation be effective as of the end of the House session on June 1st.

I have found that serving the citizens of New Hampshire in the House of Representatives as a most rewarding task. I will miss the legislative challenge, but most of all the opportunity to associate with the members of the House who come from all parts of New Hampshire. I feel blessed to have been able to meet and work with this diverse group of men and women. I will miss them most of all. Sincerely yours,

Representative Robert H. Rowe

cc: Clerk, New Hampshire House of Representatives

UNANIMOUS CONSENT

Rep. Rowe requested Unanimous Consent of the House regarding resigning from the House.

(Rep. Packard in the Chair) MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Rowe during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Representative Rowe: Thank you, Mister Speaker. After 20 years this is a very emotional time for me. I'm leaving. I was going to slip out before it was read, but someone prevailed on me to say a few words. It's hard to think and feel. This will be my last time in this well speaking in this historic Chamber in this historic House. I will miss that. Another thing I will miss is the drama. The drama of passing legislation. Now, my wife, Helen and I have subscriptions to theater and we pay good money for the subscriptions, but here I get comedy, drama and tragedy and \$100 every year. Those two pale in relationship to what I really and truly will miss and that is all of you, members here now and members of the past. People from all over the state, different personalities, different views. I will miss them. Yes, I will miss those few members that are sitting here that almost gave me a heart attack in the committee and I won't mention their name. So, I thank you and God Bless all of you. Now I will slip out.

ADJOURN FROM THE EARLY SESSION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time.

Motion adopted.

(Speaker Jasper in the Chair) UNANIMOUS CONSENT

Rep. Cahill requested Unanimous Consent of the House regarding the passing of the member from Newmarket, the Honorable Marcia Moody.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the member from Newmarket, the Honorable Marcia Moody.

MOTION TO PRINT REMARKS

Rep. Hoelzel moved that the remarks made by Rep. Cahill during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Representative Cahill: Thank you, Mister Speaker. I've asked that Representative Lovejoy and Schroadter join me down here at the well. We have a small delegation; made somewhat smaller now with the passing of the Honorable gentle lady from Newmarket, Marcia Moody. For those of you who knew Marcia Moody knew her to be hard working, conscientious, ardent, but not strident in her views and just a good person. I think that was illustrated by the attendance at her service just yesterday and I thank you, Mister Speaker and others, past and present, who joined us to say goodbye to our good friend Marcia. I'm very sorry that she is not with us. She was a wonderful legislator, a wonderful friend and we will miss her very much. Thank you, Mister Speaker.

UNANIMOUS CONSENT

Reps. Irwin and Steven Smith requested Unanimous Consent of the House regarding the passing of the former member from Newport, the Honorable Beverly Rodeschin.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Reps. Irwin and Steven Smith during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Representative Irwin: Thank you, Mister Speaker. If there are other members of the Sullivan County Delegation that would like to join us, please do. As you can see, I am not Representative Steven Smith. I am Representative Virginia Irwin and I am here to honor my friend, Beverly Rodeschin. In 1984, I served in this House and a woman by the name of Beverly Rodeschin approached me on the street in Newport and said, "So, what's it like serving down in Concord?" I said oh, it's not too

bad. At that time we only came once a year and the off year we didn't have to come to Concord. She said, "Oh, well I'm thinking I might run, but I don't really know." I encouraged her to run. I lost my seat and Beverly has been here, had been here for 24 years. She was a devoted Legislator to her community. She never took a vote without saying how's it going to play in Newport. She never cast a ballot in the Senate or in the House without calling the Town Manager to see if it made sense for our community. I had the pleasure of serving with her for 13 years on the Board of Selectmen. So, we were colleagues, although our political parties were quite distant. We were colleagues, we were friends and she did the best for our town and she will be greatly missed. In 2013, the Board of Selectmen devoted the annual report to Beverly and to her husband, Henry and the one comment that I will make from that is they are two of the hardest working and dedicated public servants that anyone has ever encountered. I can't think of two more deserving people than Henry and Beverly Rodeschin for this year's dedication, so thank you, Henry, but particularly for the people of New Hampshire, thank you, Beverly. Her service is Friday at 11:00 at St. Patrick's in Newport.

Representative Steven Smith: Thank you, Mister Speaker. Bev Rodeschin made a big difference for me. I met her a little over 10 years ago. I was a fire-breathing activist, ready to tell everybody that what they were doing was wrong and every time I tried to get my local political committee to see the light and do things different, there was Bev Rodeschin in my way, shutting me down - or so I thought. A few years later, she actually once asked me right to my face, "Steven, why do you have to be such a persistent pain in the butt all of the time?" I think five or six years ago, the Speaker may agree that's a great question. I'm just trying to do things differently and make you guys come forward and these two guys agree with me, and she said, "But they agree with anything you say and you have wonderful ideas, but you don't have any clue how to actually do them." So, a little while later, there was something that was really important to me I wanted to do and I'm trying to figure out how to schedule it when Bev's not there. Epic fail, Bev was always there. So, I did the work and I talked to the people that disagreed with me and I tried to figure out the hard work, the mechanics of how to actually get the thing done and I went in still to be shut down again and I presented it and there was crickets and then Bev said, "Well, that sounds like a good idea, let's vote," and we did and she laughed, patted me on the shoulder and walked out - lessoned learned. So, if I don't work as hard to create adversaries, I inadvertently find allies and I am eternally grateful to her for beating that lesson in to my head and giving up on me for as many years as she did it somehow. Thank you, Bev.

UNANIMOUS CONSENT

Rep. Cushing requested Unanimous Consent of the House regarding the Dean of the House, Representative Laura Pantelakos.

MOTION TO PRINT REMARKS

Rep. Hoelzel moved that the remarks made by Rep. Cushing during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Representative Cushing: Thank you, Mister Speaker. Nine Governors and 38 years ago, Laura Pantelakos first graced Representatives Hall and I know that for many of us she has been kind of a constant source of inspiration. Sometimes, if she thinks you are not doing things quite the way you should be doing them, she gently will point that out to you. What she really is though, she is the Dean of the House. Something about Laura also, because she is on kind of a limited income she decided that she didn't want to get any special number plate. Thanks to the generosity of our Speaker, the plates have been made to recognize her and I just want toLaura, you want to come up and get them? The Dean of the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendments, enrolled bill reports and veto messages from the Governor, at the completion of which the House will stand adjourned to the Call of the Chair.

The House recessed at 1:30 p.m.

(Rep. Itse in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 500, 1105, 1204, 1210, 1293, 1303 and 1589 and Senate Bills numbered 376, 439, 450, 488 and 500.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGES

ADOPTION OF COMMITTEE OF CONFERENCE REPORTS

SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

SB 203-FN, relative to review of eligibility for workers' compensation.

SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees.

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty.

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

SB 342-FN, relative to the sale or exchange of an interest in a business organization under the business profits tax.

SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum.

SB 384, relative to the feeding of wild deer.

SB 391, relative to annulment of certain misdemeanor offenses.

SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards.

SB 411, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots.

SB 466-FN, relative to the detention of youthful offenders at the youth development center.

SB 471-FN, relative to parking for persons with disabilities.

SB 495-FN-A, relative to the definition of a cigar bar.

SB 496-FN, relative to personal care attendant services.

SB 498-FN, relative to penalties for possession of certain controlled drugs.

SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program and relative to the forfeiture of property.

SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services.

REFUSAL TO ADOPT COMMITTEE OF CONFERENCE REPORT

SB 4, relative to eligibility to vote and relative to availability of voter information.

(Rep. Wolf in the Chair) ENROLLED BILL AMENDMENTS

SB 127-FN, relative to the appointment of special Medicaid representatives. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 383, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network. (Amendment printed SJ 6/1/16) Motion adopted.

SB 406-FN, relative to classification of certain state employee positions and relative to the liquor commission. (Amendment printed SJ 6/1/16) Motion adopted.

SB 437, establishing a commission to address child hunger in New Hampshire. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 458-FN, relative to reporting by political committees and relative to agreements to share voter information with other states. (Amendment printed SJ 6/1/16) Motion adopted.

SB 464-FN-A, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account. (Amendment printed SJ 6/1/16) Motion adopted.

SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 483-FN, establishing the position of chartered public school program officer in the department of education. (Amendment printed SJ 6/1/16) Motion adopted.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Amendment printed SJ 6/1/16) Motion adopted.

SB 515-FN, relative to the child protection act. (Amendment printed SJ 6/1/16) Motion adopted.

SB 530-FN, establishing a commission to study volunteer health care services. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 532-FN, relative to prior authorization for substance use treatment. (Amendment printed SJ 6/1/16)

Motion adopted.

SB 549-FN, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission. (Amendment printed SJ 6/1/16)

Motion adopted.

(Rep. Hatch in the Chair) ENROLLED BILL AMENDMENT

SB 210-FN, relative to regulation of septic system evaluators. (Amendment printed SJ 6/1/16) Motion adopted.

RECESS

(Rep. Richardson in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 197, 430, 626, 1186, 1246, 1271, 1272, 1298, 1395, 1527, 1608 and 1651 and Senate Bills numbered 300, 329, 339, 361, 363, 364, 379, 387, 405, 419, 424, 429, 431, 438, 440, 444, 480, 487 and 521.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Hinch in the Chair) ENROLLED BILL AMENDMENTS

HB 297, protecting individual customer data from disclosure by a public utility.

Amendment 2016-2126EBA

Amend RSA 363:37 as inserted by section 1 of the bill by replacing line 1 with the following: 363:37 Definitions. In this subdivision:

Amend RSA 363:37, II as inserted by section 1 of the bill by replacing lines 1-3 with the following: II. "Service provider" means a public utility, as defined by RSA 362:2; a competitive electricity

supplier, under RSA 374-F:7; an aggregator, as defined by RSA 53-E:2, II; a rural electric cooperative, under RSA 301:57; suppliers of natural gas, under RSA 362:4-b; and any other

Amend RSA 363:38, V(b) as inserted by section 1 of the bill by replacing line 7 with the following: access, use, destruction, modification, or disclosure, and to prohibit the use of the data for a secondary Motion adopted.

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.

Amendment 2016-2045EBA

Amend RSA 4:46, I-a(c) as inserted by section 1 of the bill by replacing it with the following:

- (c) A law enforcement officer shall not be subject to disciplinary action or retaliation for refusing to confiscate a firearm, firearm accessory, ammunition, or ammunition component under this section if:
 - (1) Ordered or directed to do so by a superior officer; and
- (2) By obeying the order or direction, the law enforcement officer would be committing a violation of this section.

Amend RSA 4:46, I-a(e) as inserted by section 1 of the bill by replacing line 1 with the following:

(e) For the purposes of this paragraph, "law enforcement officer" includes, Motion adopted.

HB 1430-FN, relative to operation of compact utility tractors.

Amendment 2016-2096EBA

Amend section 1 of the bill by replacing line 1 with the following:

1 Words and Phrases; Compact Utility Tractor Added. Amend RSA 259:13-a to read as follows: Motion adopted.

HB 1531, permitting the legislature to open the state house on weekends.

Amendment 2016-2117EBA

Amend the title of the bill by replacing it with the following:

AN ACT permitting the legislature to open the state house to the public.

Amend section 1 of the bill by replacing lines 1-4 with the following:

1 New Subdivision; State House Operations Program. Amend RSA 14 by inserting after section 50 the following new subdivision:

State House Operations

14:51 State House Operations Program.

Motion adopted.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction.

Amendment 2016-2130EBA

Amend section 1 of the bill by replacing line 2 with the following:

RSA 200 by inserting after section 57 the following new subdivision:

Amend section 1 of the bill by replacing line 4 with the following:

200:58 Definitions. In this subdivision:

Amend section 1 of the bill by replacing line 20 with the following:

III. "Related disorders" include disorders similar to or related to dyslexia, such as a

Amend section 1 of the bill by replacing line 22 with the following:

200:59 Screening and Intervention for Dyslexia and Related Disorders.

Amend section 1 of the bill by replacing line 44 with the following:

200:60 Reading Specialist.

Amend section 1 of the bill by replacing line 61 with the following:

200:61 Teacher Professional Development and Training.

Amend section 1 of the bill by replacing line 74 with the following:

200:62 Dyslexia Resource Guide. No later than June 30, 2017, the reading specialist shall Motion adopted.

RECESS

(Rep. Wall in the Chair) ENROLLED BILL AMENDMENT

HB 1144-L, relative to notice for sessions of correction of the check list.

Amendment 2016-2127EBA

Amend the bill by replacing all after section 3 with the following:

4 Checklists; Session for Correction. RSA 654:27 is repealed and reenacted to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on a day designated by the supervisors which shall be 6 to 13 days prior to the election and upon which all hearings shall be finally closed; provided that whenever more than one meeting is required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. All sessions for the correction of the checklist shall be for no less than 30 minutes and at the discretion of the supervisors for additional hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

5 Contingency. If HB 1468 of the 2016 regular legislative session becomes law, section 4 of this act shall take effect at 12:01 a.m. on the effective date of HB 1468. If HB 1468 does not become law, section 4 of this act shall not take effect.

6 Effective Date.

- I. Section 4 of this act shall take effect as provided in section 5 of this act.
- II. The remainder of this act shall take effect upon its passage. Motion adopted.

RECESS

(Rep. Horrigan in the Chair) ENROLLED BILL AMENDMENTS

HB 1461, relative to the definition of and criteria for protection instream flow.

Amendment 2016-2124EBA

Amend RSA 483:9-c, I as inserted by section 6 of the bill by replacing line 4 with the following: shall determine the protected instream flow criteria based on the requirements of flow-Amend RSA 483:9-c, VII as inserted by section 6 of the bill by replacing line 5 with the following:

criteria for a waiver, and notwithstanding paragraph VI, the department shall waive, in

Amend RSA 483:9-c, VIII as inserted by section 6 of the bill by replacing line 1 with the following: [HV.] VIII. The protected instream [flow levels] flows established under this section shall be

Amend the bill by replacing all after section 6 with the following:

7 Contingent Nullification. If HB 1595-FN of the 2016 regular legislative session becomes law, section 30 of HB 1595-FN which amends RSA 483:9-c, III-IV, relative to establishment of protected instream flows, shall not take effect.

8 Effective Date.

I. Section 7 of this bill shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage. Motion adopted.

HB 1595-FN, relative to the rivers management and protection program.

Amendment 2016-2125EBA

Amend RSA 483:7-a, I(a)(3) as inserted by section 12 of the bill by replacing line 2 with the following: the public for motor vehicle use shall be [250 feet, except where] screened by the river bank or a Amend RSA 483:8, I(g) as inserted by section 14 of the bill by replacing line 2 with the following: submitted] nominated by the Society for the Protection of New Hampshire Forests, the Audubon Amend RSA 483:8, VI as inserted by section 15 of the bill by replacing line 1 with the following:

VI. The advisory committee shall report biennially and advise the commissioner, *the* rivers Amend RSA 483:8-a, III(a) as inserted by section 17 of the bill by replacing line 4 with the following: *disposal of state-owned lands*. Municipal officials, boards, and agencies shall inform such Amend RSA 483:9-aa, II(c) as inserted by section 24 of the bill by replacing line 2 with the following: historic level of impoundment at that site[-]; and

Amend the bill by replacing section 27 with the following:

27 Community Rivers Protection. Amend RSA 483:9-b, II(c) to read as follows:

(c) The height of the impoundment is constant and, for existing or breached dams, is not raised above the maximum historic level of impoundment at that site; and

(d) The proposed facility provides adequate fish passage as determined by the fish and game department.

Amend RSA 483:10, I as inserted by section 31 of the bill by replacing lines 4-5 with the following: regional planning commissions, *and* municipalities, [and local river management advisory committees] and shall encourage the development and implementation of *local* river corridor management plans Motion adopted.

HB 1685-FN, relative to mortgage bankers, brokers, and servicers.

Amendment 2016-2131EBA

Amend RSA 397-A:1, I as inserted by section 1 of the bill by replacing line 4 with the following: mortgage servicer required to be licensed under this chapter, and who represents a mortgage banker, Amend RSA 397-A:1, IV(b)(2) as inserted by section 1 of the bill by replacing line 2 with the following:

business on behalf of the mortgage banker or mortgage broker from such identified location. Amend RSA 397-A:1, VI-a as inserted by section 1 of the bill by replacing line 1 with the following:

VI-a. "Direct owner" means any person, including an individual, that owns, beneficially owns, Amend RSA 397-A:1, XXI as inserted by section 1 of the bill by replacing line 2 with the following: thereon or are intended to be affixed thereon, including, but not limited to, single-family homes and Amend RSA 397-A:4, III as inserted by section 1 of the bill by replacing it with the following:

- III. Federal, state, or local governmental agencies, instrumentalities, and corporations and the employees of such entities who act as loan originators and mortgage servicers pursuant to their official duties as employees of the entities provided that, limited to activities that would otherwise be within the scope of this chapter:
 - (a) Such government entity operates:
- (1) To promote affordable housing, housing improvement assistance, or to provide homeownership education, or similar services.

(2) To conduct its activities in a manner that serves public or charitable purposes.

(3) To receive funding and revenues and to charge fees in a manner that does not incentivize the organization or its employees to act other than in the best interests of its clients.

(4) To compensate employees in a manner that does not incentivize employees to act other

than in the best interests of its clients.

(5) Absent a commercial context and without a pecuniary interest.

- (b) The government employees who act as loan originators and mortgage servicers as employees of government entities and pursuant to government funded and regulated housing assistance programs do so:
 - (1) For public or charitable purposes, and not for the profit of another individual or entity.

(2) Not within a commercial context.

Amend RSA 397-A:5, II(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) The persons described in subparagraph (a) shall submit to the department a

Amend RSA 397-A:5, IV-b(a)(2)(A) as inserted by section 1 of the bill by replacing line 2 with the following:

described in section 603(p) of the Fair Credit Reporting Act;

Amend RSA 397-A:5, IV-b(a)(2)(B) as inserted by section 1 of the bill by replacing line 2 with the following:

law enforcement entity, court, or governmental jurisdiction;

Amend RSA 397-A:5, IV-b(b) as inserted by section 1 of the bill by replacing lines 2 and 3 with the following:

which the Federal Bureau of Investigation may have to maintain for subparagraphs (a)(1) and (a)(2) (B), the commissioner may use the Nationwide Mortgage Licensing System and Registry

Amend RSA 397-A:5, IV-b(c) as inserted by section 1 of the bill by replacing line 2 with the following:

the commissioner may have to maintain for purposes of subparagraphs (a)(2)(A) and (B), the Amend RSA 397-A:5, IV-c(a)(3) as inserted by section 1 of the bill by replacing line 1 with the following:

(3) Has never been convicted of, or pled guilty or nolo contendere to, a felony in a Amend RSA 397-A:5, IV-c(a)(4) as inserted by section 1 of the bill by replacing line 1 with the following:

(4) Has never been convicted of, or pled guilty or nolo contendere in a domestic,

Amend RSA 397-A:5, IV-d(a)(1) as inserted by section 1 of the bill by replacing line 2 with the following:

paragraph IV-c;

Amend RSA 397-A:5, VI(a)(1)(C)-(D) as inserted by section 1 of the bill by replacing them with the following:

(C) Credit history;

(D) Any other information as deemed necessary by the Nationwide Mortgage Licensing System and Registry;

Amend RSA 397-A:5, VI(a)(2) as inserted by section 1 of the bill by replacing line 2 with the following:

Mortgage Licensing System and Registry;

Amend RSA 397-A:10, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. No licensee shall conduct the business of a mortgage banker, mortgage broker, or

Amend RSA 397-A:12, X as inserted by section 1 of the bill by replacing line 1 with the following:

X. If so requested by the person examined, within the period allowed in paragraph IX, or Amend RSA 397-A:12, X as inserted by section 1 of the bill by replacing line 7 with the following: paragraph IX. The report shall be accepted and filed within 6 months after the final hearing

Amend RSA 397-A:12, XI as inserted by section 1 of the bill by replacing line 2 with the following: the department as provided in paragraph X shall nevertheless not be for public inspection. The Amend RSA 397-A:12-a, I as inserted by section 1 of the bill by replacing line 4 with the following: federal law or RSA 383:10-b, RSA 383:10-e, RSA 397-A:12, XI, and RSA 91-A regarding the privacy Amend RSA 397-A:12-a, I as inserted by section 1 of the bill by replacing line 12 with the following: 383:10-e, RSA 397-A:12, XI, and RSA 91-A.

Amend RSA 397-A:12-a, V as inserted by section 1 of the bill by replacing line 1 with the following:

V. RSA 383:10-b, RSA 383:10-e, RSA 397-A:12, XI, and RSA 91-A, relating to the disclosure Amend RSA 397-A:16-a, II as inserted by section 1 of the bill by replacing line 1 with the following: II. Notwithstanding any other provision of this chapter, the charges which may be

Amend RSA 397-A:18, V as inserted by section 1 of the bill by replacing lines 2 and 3 with the following: existence or has ceased to do business as a mortgage broker, mortgage banker, or mortgage originator, or cannot be located after reasonable search, the commissioner may by order revoke the license, Amend RSA 397-A:19, V as inserted by section 1 of the bill by replacing line 2 with the following: person to cease and desist the conduct at issue, assess penalties as provided in RSA 397-A:20. Amend RSA 397-A:20, V as inserted by section 1 of the bill by replacing line 3 with the following: in this state to enjoin the acts or practices of such person and to enforce compliance with this chapter or any rule or Motion adopted.

RECESS

(Rep. Horrigan in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 297, 512, 1430, 1531 and 1644 and Senate Bills numbered 336, 345, 437 and 549.

Rep. Shurtleff, Sen. Prescott for the Committee

RECESS

(Rep. Eaton in the Chair) ENROLLED BILL AMENDMENTS

HB 533, relative to installation requirements for arc-fault circuit interrupters.

Amendment 2016-2134EBA

Amend section 1 of the bill by replacing lines 3-14 with the following:

155-A:3-c Installation of Arc-Fault Circuit Interrupters (AFCI); Exception.

- I. Notwithstanding any provision of the state building code or state fire code requiring the installation of arc-fault circuit interrupters, after repeated tripping of an AFCI device and determination the branch circuit is not causing the AFCI to trip, an AFCI device may be replaced with one without AFCI protection in accordance with this section.
- II. All receptacle outlets supplied by the branch circuit without AFCI protection shall be marked "No AFCI Protection."
 - III. Incident reports shall be filed by registered letter or email with a read receipt requested:
 - (a) By the property owner to all occupants as applicable; and
 - (b) By the electrician with the electricians' board if he or she is performing the replacement.
- IV. The time periods for the AFCI device replacement and incident reporting shall be as Motion adopted.

HB 1637-FN, relative to school attendance in towns with no public schools.

Amendment 2016-2135EBA

Amend RSA 194:27 as inserted by section 2 of the bill by replacing line 5 with the following: an approved public high school [σ], a public school of corresponding grade in another district [σ], an Motion adopted.

RECESS

(Rep. Parker in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 533, 1144 and 1637 and Senate Bills numbered 127, 210, 383, 406, 458, 464, 482, 483, 491, 530 and 532.

Rep. Shurtleff, Sen. Prescott for the Committee

RECESS

(Rep. Packard in the Chair) ENROLLED BILL AMENDMENTS

- SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund. (Amendment printed SJ 6/1/16)
 Motion adopted.
- SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 326, relative to the membership of the community college system of New Hampshire board of trustees. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards. (Amendment printed SJ 6/1/16)

 Motion adopted.
- SB 411, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 466-FN, relative to the detention of youthful offenders at the youth development center. (Amendment printed SJ 6/1/16)
 Motion adopted.
- SB 495-FN-A, relative to the definition of a cigar bar. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program and relative to the forfeiture of property. (Amendment printed SJ 6/1/16) Motion adopted.
- SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. (Amendment printed SJ 6/1/16) Motion adopted.

(Rep. Eaton in the Chair) ENROLLED BILL AMENDMENTS

HB 114, establishing beer specialty licenses and relative to rectifiers.

Amendment 2016-2143EBA

Amend RSA 178:19-d, I as inserted by section 1 of the bill by replacing line 5 with the following: barrels, bottles, or other containers as the commission may by rule prescribe.

Motion adopted.

HB 353, relative to the governance of condominium unit owners' associations.

Amendment 2016-2160EBA

Amend section 2 of the bill by replacing line 2 with the following: 40-b are repealed and reenacted to read as follows:

Amend RSÂ 356-B:39-a, I as inserted by section 2 of the bill by replacing lines 1-2 with the following:

I. The association shall notify the unit owners, in the manner prescribed by RSA 356-B:37-a, that the vote will be taken by ballot and deliver a paper or electronic ballot to every unit owner Motion adopted.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

Amendment 2016-2153EBA

Amend the bill by deleting section 16 and renumbering the original sections 17-21 to read as 16-20, respectively.

Amend section 17 of the bill by replacing section 2, subparagraph I(1) with the following:

(1) A promise of employment or continued employment; and

Amend section 17 of the bill by replacing section 3, subparagraph III(e), line 2 with the following: the legislator, a member of the legislator's immediate family, or a household member.

Amend section 17 of the bill by replacing section 4, subparagraph I(g), line 3 with the following:

later than 10 days following the meeting or event at which the meals or beverages were

Amend section 17 of the bill by replacing section 5, paragraph II, lines 58 and 59 with the following: Any representative, senator, or officer of the house of representatives or senate who knowingly fails to file the form required under RSA 14-B:8 or who knowingly files a

Amend section 17 of the bill by replacing section 6, subparagraph IV(a), line 2 with the following: issue; or

Amend section 17 of the bill by replacing section 8, subparagraph III(e), line 3 with the following: 10 days following the meeting or event at which the meals or beverages were consumed. Amend section 18 of the bill by replacing section 2, paragraph II, line 5 with the following:

the affirmative vote of at least 4 members at a meeting of the committee.

Amend section 18 of the bill by replacing section 4, paragraph V, lines 3-5 with the following:

- (a) That the committee does not have jurisdiction to consider it under RSA 14-B;
- (b) It is obviously without merit; or
- (c) It is obviously unfounded.

Amend section 18 of the bill by replacing section 4, paragraph VI, lines 2 and 3 with the following: than 2 years prior to the receipt of the complaint. However, when the last episode of an alleged pattern of recurring legislative conduct arises within the 2-year period, the committee may Amend section 18 of the bill by replacing section 5, paragraph I, line 1 with the following:

I. Except where the complaint has been discharged or dismissed pursuant to paragraphs IV, V, Amend section 18 of the bill by replacing section 6, paragraph I, line 2 with the following: affirmative vote of 4 or more members of the committee taken at a meeting thereof. Such Amend section 18 of the bill by replacing section 7, paragraph I, line 1 with the following:

I. If, after preliminary investigation the committee concludes, by the affirmative vote of 4 or Amend section 18 of the bill by replacing section 7, paragraph II, line 5 with the following: VI.

Amend section 18 of the bill by replacing section 8, subparagraph I(a), line 2 with the following: relevant information; and

Amend section 18 of the bill by replacing section 9, paragraph III, line 1 with the following:

III. A violation of the law, ethics guidelines, rule, or regulation shall be established by clear Motion adopted.

HB 605-FN, relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

Amendment 2016-2147EBA

Amend the title of the bill by replacing it with the following:

AN ACT eliminating the mandatory minimum sentence for habitual offenders convicted of illegal operation of a motor vehicle.

Amend RSA 262:23, III as inserted by section 1 of the bill by replacing lines 7-8 with the following: of a class A misdemeanor and may be sentenced to one year or less.] Any person incarcerated on June 8, 1992, pursuant to certification as an habitual offender under RSA Motion adopted.

HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes.

Amendment 2016-2154EBA

Amend section 1 of the bill by replacing it with the following:

1 Repeal. RSA 332-D, relative to Sunday business activities, is repealed.

Amend the bill by replacing section 4 with the following:

- 4 Children's Bingo at Private Hotels and Campgrounds; Sunday Hours. RSA 287-E:13, I is repealed and reenacted to read as follows:
- I. No games shall be conducted prior to 11:00 a.m. and all games shall be finished by 8:30 p.m. on any day.

 Motion adopted.

HB 1301, relative to the issuance of youth employment certificates.

Amendment 2016-2145EBA

Amend RSA 276-A:5, V as inserted by section 1 of the bill by replacing line 1 with the following: [\forall \text{Y-}] V. Any employer not in compliance with the requirements of RSA 276-A:4 or this section Motion adopted.

HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

Amendment 2016-2133EBA

Amend the title of the bill by replacing it with the following:

AN ACT relative to the procedure for amendment of condominium instruments and establishing a committee to study the process by which business names are authorized by the secretary of state.

Motion adopted.

HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

Amendment 2016-2142EBA

Amend RSA 401-D:7, V(f) as inserted by section 1 of the bill by replacing line 1 with the following:

(f) A requirement that the NAIC or a third party consultant consent to intervention

Amend RSA 275:43 as inserted by section 2 of the bill by replacing line 2 with the following:

Amend RSA 275:43-a as inserted by section 2 of the bill by replacing line 8 with the following: attempt to notify him *or her* has been unsuccessful or if the employer is prevented from making Motion adopted.

HB 1377, relative to receipt of absentee ballots.

Amendment 2016-2161EBA

Amend RSA 657:16 as inserted by section 2 of the bill by replacing line 16 with the following: and RSA 654:28 shall be processed as election day registrations under RSA 654:7-a. If the Amend RSA 657:15 as inserted by section 3 of the bill by replacing line 1 with the following: 657:15 Sending Absentee Ballots.

I. When the verification required by RSA 657:12 or 657:13 has been made, the clerk shall

Amend RSA 657:15, II as inserted by section 3 of the bill by replacing line 3 with the following: may obtain a list of absentee voter applicants from the clerk, excluding voters who have Motion adopted.

HB 1396, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

Amendment 2016-2140EBA

Amend the title of the bill by replacing it with the following:

AN ACT relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities.

Amend RSA 215-A:10-a, II(f) as inserted by section 3 of the bill by replacing line 1 with the following:

(f) The chief supervisor of the bureau of trails of the department of resources and economic Motion adopted.

HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program.

Amendment 2016-2159EBA

Amend the title of the bill by replacing it with the following:

AN ACT establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, and relative to liquor commission revenue shortfall.

Amend section 1 of the bill by replacing line 3 with the following:

environmental services known as the clean water state revolving fund (CWSRF) non-program fund Amend section 15 of the bill by replacing line 2 with the following:

commission revenue shortfalls, are hereby suspended for the period beginning on the effective date of Amend RSA 125-C:10-c, II(a) as inserted by section 18 of the bill by replacing line 2 with the following:

incinerator or a municipal waste combustor with a design capacity of less than 250 tons per day of Amend the bill by replacing section 21 with the following:

- 21 Effective Date.
 - I. Sections 1-3 and 5-10 of this act shall take effect July 1, 2016.
 - II. Sections 18-19 of this act shall take effect 60 days after its passage.
 - III. The remainder of this act shall take effect upon its passage.

Motion adopted.

HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax.

Amendment 2016-2163EBA

Amend RSA 659:43, I as inserted by section 1 of the bill by replacing line 3 with the following: poster, card, handbill, placard, picture, *pin*, *sticker*, [or] *circular*, *or article of clothing* which is Motion adopted.

HB 1584-FN, relative to body-worn cameras for law enforcement officers.

Amendment 2016-2150EBA

Amend RSA 105-D:2, XVII(a) as inserted by section 1 of the bill by replacing line 2 with the following:

limited to litigation, a pending criminal case, or a valid court or administrative order, then the Motion adopted.

HB 1590-FN-A-L, relative to taxation of short-term rentals.

Amendment 2016-2164EBA

Amend the title of the bill by replacing it with the following:

AN ACT relative to taxation of short-term rentals.

Motion adopted.

HB 2016, relative to the state 10-year transportation improvement program.

Amendment 2016-2156EBA

Amend RSA 228-A:2 as inserted by section 2 of the bill by replacing line 27 with the following: section.

Motion adopted.

SB 391, relative to annulment of certain misdemeanor offenses. (Amendment printed SJ 6/1/16) Motion adopted.

SB 401-FN, relative to insurance coverage for prescription eye drops. (Amendment printed SJ 6/1/16) Motion adopted.

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services. (Amendment printed SJ 6/1/16)

Motion adopted.

RECESS

(Speaker Jasper in the Chair) ENROLLED BILL AMENDMENT

HB 1547-FN, prohibiting bestiality.

Amendment 2016-2165EBA

Amend RSA 644:8-g, V(c) as inserted by section 1 of the bill by replacing line 3 with the following: the body of the animal, where such penetration can be reasonably construed for the purpose of Amend RSA 651-B:1, IX(a) as inserted by section 2 of the bill by replacing line 2 with the following: 13 years of age or older but less than 18 years of age; RSA 633:2; RSA 633:3; RSA 633:7; RSA 639:3, III; RSA

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect January 1, 2017, at 12:01 a.m. Motion adopted.

RECESS

(Rep. Packard in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 280, 285, 378, 427, 606, 628, 1193, 1461, 1595, 1656, 1685 and 1697 and Senate Bills numbered 66, 129, 155, 203, 239, 310, 315, 319, 320, 324, 326, 342, 369, 384, 409, 466, 471, 495, 496, 498, 515 and 523. Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn. Motion adopted.

HOUSE JOURNAL NO. 16

Thursday, June 16, 2016

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Father Jason Jalbert, Director of the Office of Worship for the Diocese of Manchester.

Rep. Buco, member from Conway, led the Pledge of Allegiance.

The National Anthem was sung by the New England Youth Singers.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Comtois, Emerson, Gagne, Kellogg, Lynne Ober, Priestley, Rappaport, Sanders and White, the day, illness.

Reps. Beaulieu, Berube, Crawford, Doucette, Flanders, Hagan, Ley, Douglas Long, Lovejoy, Massimilla, Russell Ober, Osborne, Peckham, Rouillard, Andrew Schmidt, Shattuck, Daniel Sullivan, Tamburello and Wright, the day, important business.

Rep. Booras, the day, illness in the family.

Rep. Robert Walsh, the day, death in the family.

INTRODUCTION OF GUESTS

Max Ledoux, guest of Rep. Cordelli. Janet Stevens, guest of Rep. Joanne Ward. David Coolidge, guest of Rep. Alan Turcotte. Jacob Brahm and Hamza Shahzad, guests of Rep. Simmons. Claire Hennessey, daughter of Rep. Erin Hennessey. Evelyn Seaworth, daughter of Rep. Seaworth. Joel Weinrebe, guest of Rep. LeBreche. Molly Horn, wife of Rep. Horn. Michelle and Brian Pearce, sister and brother-in-law of Rep. Weber. Robert Gillespie, and Carolee Longley, husband and guest of Rep. Wheeler. The Honorable Keith Hirschmann, former member from Manchester, guest of Rep. Infantine. The Honorable Robert L'Heureux, former member from Merrimack, guest of the Speaker.

HOUSE RESOLUTION 21

Honoring the victims of Orlando, Florida

WHEREAS, the New Hampshire House of Representatives learned with great sorrow of the tragic killings of club-goers at an Orlando night club this past weekend; and

WHEREAS, Tony award winner Lin-Manuel Miranda proclaimed hours later: "We rise and fall, and light from dying embers, remembrances that hope and love last longer and love is love is love is love is love is love solve is love is lo

WHEREAS, the New Hampshire House has a long-standing history of affirming its support for communities, states, and nations throughout the world, especially in times of distress; now, therefore, be it

RESOLVED, that the New Hampshire House of Representatives honors the victims of the shooting at Pulse nightclub and offers its condolences to the families and loved ones of the victims; and be it further **RESOLVED**, that the House of Representatives in regular session convened, stands with the community of Orlando, Florida and offers its support, love, and prayers.

Offered by the House of Representatives.

Reps. Hinch and Shurtleff moved that Resolution No. 21 be adopted.

Motion adopted.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the victims of the shooting in Orlando, Florida.

HOUSE RESOLUTION 22

Memorializing State Representative Marcia Moody of Newmarket

WHEREAS, we have learned with profound sorrow of the death of our friend and colleague Marcia G. Moody, who was serving her sixth term as a State Representative representing the citizens of Rockingham County District 17, the towns of Newfields and Newmarket; and

WHEREAS, Marcia Moody served with diligence and enthusiasm on the committees on Resources, Recreation, and Development and Election Law; and

WHEREAS, Marcia Moody worked for the Army and Air Force Exchange Service for 26 years which brought her to several countries where she experienced great opportunities such as skiing the Alps; and

WHEREAS, as an unabashed progressive who fought for causes she deeply believed in, The Nation magazine named Marcia Moody as its *Most Valuable State Legislator*; now, therefore, be it **RESOLVED**, by the House of Representatives in Regular Session convened, Marcia G. Moody be granted the highest praise and accolades and given our profound thanks for her service to her country, the state, and the town she called home, and that expressions of our most heartfelt sympathy be extended to all of her friends and loved ones.

Offered by the House of Representatives.

Reps. Shurtleff and Hinch moved that Resolution No. 22 be adopted. Motion adopted.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Newmarket, the Honorable Marcia Moody.

MOTION TO SUSPEND HOUSE RULES

Late drafting and introduction having been approved by the Rules Committee, Reps. Hinch and Shurtleff moved that House Rules be so far suspended as to permit introduction and consideration at the present time, without the required printing, referral to committee, public hearing and report from committee, and, if passed, immediate third reading of HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

(Rep. Packard in the Chair)

Rep. Bates spoke against and yielded to questions.

The Speaker accepted the previous question and debate was limited.

Rep. Elliott spoke in favor.

Dumais, Russell

Eropar Valoria

Reps. Abramson and Sanborn spoke against.

Rep. Burt spoke against and yielded to questions.

Reps. Steven Smith, Infantine and Jasper spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

Tilton, Franklin

YEAS 241 - NAYS 97

YEAS - 241 BELKNAP

Fields, Dennis

Spanos, Peter

Fraser, valerie			
	C	ARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		
	CI	HESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Hunt, John	Roberts, Kris	Mann, John	Parkhurst, Henry
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy	, , ,	U ,	
		COOS	

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Piper, Wendy Townsend, Charles Almy, Susan Hennessey, Erin Ladd, Rick Brown, Rebecca Bailey, Brad Ford, Susan Hennessey, Martha Smith, Suzanne Cooney, Mary Gionet, Edmond Maes, Kevin Sykes, George

HILLSBOROUGH

Griffin, Barbara Barry, Richard Roberts, Carol Danielson, David Freitas, Mary Goley, Jeffrey Haefner, Robert Herbert, Christopher Belanger, James Kurk, Neal O'Brien, Michael McNamara, Richard McCarthy, Peggy Pierce, David Shaw, Barbara Takesian, Charlene Woodbury, David

Backus, Robert Biggie, Barbara Cohen, Alan DiSilvestro, Linda Smith, Gregory Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Jack, Martin Lachance, Joseph Mangipudi, Latha O'Neil, William Palmer, Barry Porter, Marjorie Snow, Kendall Vann, Ivy

Balcom, John Byron, Frank Cornell, Patricia Flanagan, Jack Gargasz, Carolyn Gorman, Mary Harvey, Suzanne Hopper, Gary Jasper, Shawn LeBrun, Donald Manley, Jonathan Brown, Pamela Pellegrino, Anthony Proulx, Mark Souza, Kathleen Williams, Kermit

Baroody, Benjamin Christensen, Chris Cote, David Forest, Armand Gidge, Kenneth Guerette, C. Lee Heath, Mary Infantine, William Jeudy, Jean Leishman, Peter Martel, Andre Long, Patrick Peterson, Ken Rosenwald, Cindy Smith, Timothy Wolf, Terry

MERRIMACK

Turcotte, Alan Bradley, Paula Ebel, Karen Hirsch, Geoffrey Kidder, David Moffett, Howard Rogers, Katherine Walsh, Thomas Alicea, Caroletta Rice, Chip Gile, Mary Frazer, June Kotowski, Frank Myler, Mel Saunderson, George Wallner, Mary Jane

Carson, Clyde Henle, Paul Karrick, David Luneau, David Patten, Dick Schuett, Dianne Wheeler, Deborah

French, Barbara

Bartlett, Christy Doherty, David Hess, David Kenison, Linda MacKay, James Ratzki, Mario Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew
Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Devine, James
Emerick, J. Tracy
Friel, William
Hoelzel, Kathleen
Griffin, Mary
McBeath, Rebecca
Nigrello, Robert
Potucek, John
Simpson, Alexis
Weyler, Kenneth

Abrami, Patrick
Berrien, Skip
Borden, De
Cardon, G. Thomas
Chirichiello
Thomas, Douglas
DiFranco, Debbie
Ferrante, Beverly
Ward, Gerald
Introne, Robert
Major, Norman
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, Jan
Woitkun, Steven

Allen, Mary Borden, David Chirichiello, Brian Dean-Bailey, Yvonne Edgar, Michael Fesh, Robert Guthrie, Joseph Sweeney, Joe Manning, John McMahon, Charles Gordon, Pamela Tilton, Rio Webb, James

Azarian, Gary
Cahill, Michael
Cook, Allen
DeSimone, Debra
Elliott, Robert
Francese, Paula
Heffron, Frank
Ward, Joanne
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Sherman, Thomas
Welch, David

STRAFFORD

Baber, William Burton, Wayne Gardner, Janice Ward, Kenneth Schmidt, Peter Treleaven, Susan Berube, Roger Cheney, Catherine Graham, Robert Kaen, Naida Rollo, Deanna Verschueren, James Bickford, David Cilley, Jacalyn Gray, James Smith, Marjorie Southworth, Thomas Wall, Janet

Bixby, Peter DiSesa, Len Horrigan, Timothy Mullen, John Spang, Judith

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

NAYS - 97

DEST	TZ NI	A TO
BEL		AP

Aldrich, Glen	Gallagher, Brian	Howard, Raymond	Hurt, George
LeBreche, Shari	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn

CHESHIRE

McConnell, James Phillips, Larry Robertson, Timothy

COOS

Rideout, Leon

GRAFTON

Brown, Duane Hull, Robert Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Coffey, James	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Rice, Kimberly	Christiansen, Lars
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Parison, James	Christie, Rick	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Simmons, Tammy	Stepanek, Stephen	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	O'Brien, William	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Duarte, Joe	Rice, Frederick	Gannon, William	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Oligny, Jeffrey	Gordon, Richard	Schroadter, Adam
Spillane, James	True, Chris	Tucker, Pamela	Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt	
and the motion was			

(Speaker Jasper in the Chair)

RESOLUTION

Reps. Hinch and Shurtleff offered the following: RESOLVED, that late introduction having been approved by the Rules Committee and a two-thirds vote of the House, House Bill numbered 1000 shall be by this resolution read a first and second time by the therein listed title. Motion adopted.

Williams, Kermit

Bartlett, Christy

Doherty, David

INTRODUCTION OF HOUSE BILL

First, second reading

HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

MOTION TO LIMIT DEBATE

Reps. Hinch and Shurtleff moved to limit debate to 15 minutes per side, including questions, and amendments, which would be considered on the no side.

Rep. Baldasaro requested a roll call; sufficiently seconded.

Souza, Kathleen

Wolf, Terry

Turcotte, Alan

Bradley, Paula

YEAS 207 - NAYS 126

YEA	S -	207
DET	K.	IAD

BELKNAI LeBreche, Shari Dumais, Russell Tilton, Franklin Fields, Dennis Fraser, Valerie CARROLL Buco, Thomas Butler, Edward Chandler, Gene McCarthy, Frank Nelson, Bill Parker, Harold Schmidt, Stephen McConkey, Mark Umberger, Karen **CHESHIRE** Ames, Richard Berch, Paul Chase, Cynthia Abbott, Michael Johnsen, Gladys Hunt, John Mann, John Eaton, Daniel Sad, Tara Shepardson, Marjorie Sterling, Franklin Parkhurst, Henry Weber, Lucy Tatro, Bruce COOS Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Tholl, John Thomas, Yvonne GRAFTON Almy, Susan Bailey, Brad Cooney, Mary Abel, Richard Higgins, Patricia Hennessey, Erin Ford, Susan Gionet, Edmond Ladd, Rick Hennessey, Martha Maes, Kevin Piper, Wendy Brown, Rebecca Smith, Suzanne Sykes, George Townsend, Charles HILLSBOROUGH Backus, Robert Baroody, Benjamin Barry, Richard Biggie, Barbara Roberts, Carol Cohen, Alan Cornell, Patricia Christensen, Chris Flanagan, Jack Cote. David Danielson, David DiSilvestro, Linda Forest, Armand Freitas, Mary Smith, Gregory Gargasz, Carolyn Guerette, C. Lee Gidge, Kenneth Goley, Jeffrey Gonzalez, Carlos Haefner, Robert Hansberry, Daniel Harvey, Suzanne Heath, Mary Herbert, Christopher Hinch, Richard Hopper, Gary Infantine, William Jack, Martin Kurk, Neal Christiansen, Lars Jeudy, Jean LeBrun, Donald O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Neil, William Brown, Pamela McCarthy, Peggy Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Marjorie Proulx, Mark Rosenwald, Cindy Snow, Kendall

Vann, Ivy

French, Barbara

Carson, Clyde

MERRIMACK

Takesian, Charlene

Woodbury, David

Alicea. Caroletta

Rice, Chip

Coffey, James

Gorman, Mary

Hansen, Peter

Edwards, Elizabeth

Donovan, Daniel

Estevez, Eric

Gould, Linda

Hogan, Edith

Eastman, Eric

Ferreira, Elizabeth

Goulette, William

Belanger, James

Edelblut, Frank

Halstead, Carolyn

Fromuth, Bart

Rice, Kimberly

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Ebel, Karen Hirsch, Geoffrey Kotowski, Frank Myler, Mel Saunderson, George Wallner, Mary Jane	Gile, Mary Frazer, June Luneau, David Patten, Dick Schuett, Dianne Wheeler, Deborah	Henle, Paul Karrick, David MacKay, James Ratzki, Mario Shurtleff, Stephen	Hess, David Kenison, Linda Moffett, Howard Rogers, Katherine Walsh, Thomas
	ROC	CKINGHAM	
Christie, Andrew Barnes, Arthur Cardon, G. Thomas DiFranco, Debbie Ferrante, Beverly Ward, Gerald Hoelzel, Kathleen Griffin, Mary McBeath, Rebecca Gordon, Pamela Tilton, Rio Webb, James	Abrami, Patrick Berrien, Skip Chirichiello, Brian Edgar, Michael Fesh, Robert Green, Dennis Introne, Robert Major, Norman McKinney, Betsy Packard, Sherman Sherman, Thomas Welch, David	Allen, Mary Borden, David DeSimone, Debra Elliott, Robert Francese, Paula Guthrie, Joseph Sweeney, Joe Manning, John Milz, David Pantelakos, Laura Simpson, Alexis Weyler, Kenneth	Azarian, Gary Cahill, Michael Devine, James Emerick, J. Tracy Friel, William Heffron, Frank Ward, Joanne Matthews, Carolyn O'Connor, John Potucek, John Sytek, John Woitkun, Steven
	ST	RAFFORD	
Baber, William Cilley, Jacalyn Ward, Kenneth Rollo, Deanna Wall, Janet	Berube, Roger DiSesa, Len Kaen, Naida Southworth, Thomas	Bickford, David Gardner, Janice Mullen, John Spang, Judith	Burton, Wayne Gray, James Schmidt, Peter Verschueren, James
	S	ULLIVAN	
Gagnon, Raymond O'Hearne, Andrew	Gottling, Suzanne Oxenham, Lee	Grenier, James Rollins, Skip	Irwin, Virginia
	N	AYS - 126	4
	В	ELKNAP	
Aldrich, Gien Spanos, Peter	Gallagher, Brian Vadney, Herbert	Howard, Raymond Varney, Peter	Hurt, George
	C	ARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Ticehurst, Susan
	C	HESHIRE	
Tilton, Benjamin Phillips, Larry	Bordenet, John Robertson, Timothy	Roberts, Kris	McConnell, James
		COOS	
Rideout, Leon	Theberge, Robert		
	G	RAFTON	
Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
	нил	SBOROUGH	
Adams, Christopher Boehm, Ralph	Ammon, Keith Bouldin, Amanda	Griffin, Barbara Burt, John	Balcom, John Byron, Frank

Lachance, Joseph	Leishman, Peter	Marston, Dick	Martel, Andre
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Long, Patrick
Parison, James	Christie, Rick	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Shaw, Barbara	Simmons, Tammy	Smith, Timothy
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Cali-Pitts, Jacqueline	Cook, Allen	Cushing, Robert	Thomas, Douglas
Dean-Bailey, Yvonne	Duarte, Joe	Rice, Frederick	Gannon, William
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
McMahon, Charles	Nigrello, Robert	Oligny, Jeffrey	Prudhomme-O'Brien, Katherine
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris

STRAFFORD

Beaudoin, Steven	Bixby, Peter	Cheney, Catherine	DeLemus, Susan
Graham, Robert	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard
Smith, Marjorie	Pitre, Joseph	Treleaven, Susan	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Cloutier, John	Converse, Larry	Laware, Thomas	Smith, Steven
and the motion	was adopted.		

CONSIDERATION OF HB 1000-FN-A

Rep. Hinch moved Ought to Pass.

Tucker, Pamela

Rep. Burt offered floor amendment (2174h).

Floor Amendment (2174h)

Amend the title of the bill by replacing it with the following:

Vose, Michael

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making appropriations to the department of safety for purposes of the program and to the department of corrections for the purpose of paying increased county corrections costs resulting from the program.

Amend the bill by replacing section 6 with the following:

- 6 Appropriations; Department of Safety; Department of Corrections; Substance Abuse Enforcement Program; Correctional Costs.
- I. The sum of \$1,350,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.
- II. The sum of \$150,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of corrections, for the purpose of funding distributions to the counties to pay for increased county corrections costs resulting from the substance abuse enforcement program under RSA 21-P:66.
- III.(a)(1) For the purposes of funding the appropriations made in paragraphs I and II, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer 1/2 of said sums to 2 separate accounting units as follows:
- (A) An accounting unit for enforcement activities, including grants to local and county agencies.
 - (B) An accounting unit for division of forensic science laboratory activities.

Bush, Carol

Duarte, Joe

Guthrie, Joseph

(2) The remaining 1/2 of said sums shall be transferred to the department of corrections. (b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes appropriations to the department of safety for the program and to the department of corrections for the purpose of paying increased county corrections costs resulting from the program.

Rep. Burt spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 110 - NAYS 214

YEAS - 110

		EAS - 110	
	1	BELKNAP	
Aldrich, Glen	Tilton, Franklin	Gallagher, Brian	Howard, Raymond
Hurt, George	LeBreche, Shari	Spanos, Peter	Sylvia, Michael
Vadney, Herbert	Varney, Peter	•	•
	(CARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Umberger, Karen
	C	HESHIRE	
Tilton, Benjamin	Roberts, Kris	McConnell, James	Phillips, Larry
Robertson, Timothy		0000	
		COOS	
Rideout, Leon			
	(GRAFTON	
Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
	HILI	LSBOROUGH	
Adams, Christopher	Ammon, Keith	Griffin, Barbara	Boehm, Raiph
Bouldin, Amanda	Burt, John	Coffey, James	Donovan, Daniel
Eastman, Eric	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Jeudy, Jean	Rice, Kimberly
Lachance, Joseph	Marston, Dick	Martel, Andre	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Parison, James
Peterson, Ken	Christie, Rick	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy	Twombly, Timothy	Ulery, Jordan	Zaricki, Nick
	MI	ERRIMACK	
Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Seaworth, Brian	
	RO	CKINGHAM	
Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David

Thomas, Douglas

Gannon, William

Hodgdon, Bruce

Dean-Bailey, Yvonne

Green, Dennis

Itse, Daniel

Cushing, Robert

Rice, Frederick

Harris, Jeffrey

Hirsch, Geoffrey

	110002 0001		
Kappler, Lawrence Gordon, Richard Tucker, Pamela	Kolodziej, Walter Schroadter, Adam Vose, Michael	Oligny, Jeffrey Spillane, James	Prudhomme-O'Brien, Katherine True, Chris
	ST	RAFFORD	
Beaudoin, Steven Hannon, Joseph Turcotte, Leonard	DeLemus, Susan Jones, Laura Pitre, Joseph	Graham, Robert Kaczynski, Thomas Wuelper, Kurt	Groen, Warren Knowles, Robert
	SI	ULLIVAN	
Converse, Larry	Gagnon, Raymond		
•	-	AYS - 214	
		ELKNAP	
Dumais Russall	Fields, Dennis	Fraser, Valerie	
Dumais, Russell		,	
	_	ARROLL	
Buco, Thomas McConkey, Mark	Butler, Edward Nelson, Bill	Chandler, Gene Parker, Harold	McCarthy, Frank Schmidt, Stephen
Ticehurst, Susan	C	HESHIRE	
Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Hunt, John
Mann, John	Parkhurst, Henry	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		
		COOS	
Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne
	G	RAFTON	
Abel, Richard	Almy, Susan	Cooney, Mary	Hennessey, Erin
Ford, Susan	Gionet, Edmond	Higgins, Patricia	Ladd, Rick
Hennessey, Martha	Maes, Kevin	Piper, Wendy	Brown, Rebecca
Smith, Suzanne	Sykes, George	Townsend, Charles	
	HILI	SBOROUGH	
Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Biggie, Barbara	Byron, Frank	Christensen, Chris	Roberts, Carol
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Edelblut, Frank	Flanagan, Jack	Forest, Armand
Freitas, Mary	Smith, Gregory	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary Harvey, Suzanne	Guerette, C. Lee
Haefner, Robert Herbert, Christopher	Hansberry, Daniel Hinch, Richard	Harvey, Suzanne Hopper, Gary	Heath, Mary Belanger, James
Jack, Martin	Kurk, Neal	Christiansen, Lars	LeBrun, Donald
Leishman, Peter	O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Neil, William	Brown, Pamela	Long, Patrick
McCarthy, Peggy	Pellegrino, Anthony	Pierce, David	Porter, Marjorie
Proulx, Mark	Rosenwald, Cindy	Sanborn, Laurie	Shaw, Barbara
Snow, Kendall	Souza, Kathleen	Smith, Timothy	Takesian, Charlene
Sullivan, Victoria	Vann, Ivy	Williams, Kermit	Wolf, Terry
Woodbury, David	мі	ERRIMACK	
Turcotte, Alan	Alicea, Caroletta	French, Barbara	Bartlett, Christy
Bradley, Paula	Rice, Chip	Carson, Clyde	Doherty, David
Gilo Mone	Honio Paul	Hace David	Hirsch Geoffrey

Hess, David

Henle, Paul

Gile, Mary

Frazer, June	Karrick, David	Kenison, Linda	Kotowski, Frank
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah
Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Debora

ROCKINGHAM

Christie, Andrew	Abrami, Patrick	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chirichiello, Brian	DeSimone, Debra	Devine, James
DiFranco, Debbie	Edgar, Michael	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Ward, Gerald	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Sweeney, Joe	Ward, Joanne	Griffin, Mary	Major, Norman
Manning, John	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Gordon, Pamela	Packard, Sherman	Pantelakos, Laura	Potucek, John
Tilton, Rio	Sherman, Thomas	Simpson, Alexis	Sytek, John
Webb, James	Welch, David	Weyler, Kenneth	•
	ST	RAFFORD	

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len
Gardner, Janice	Gray, James	Horrigan, Timothy	Ward, Kenneth
Kaen, Naida	Smith, Marjorie	Mullen, John	Schmidt, Peter
Rollo, Deanna	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Verschueren, James	Wall, Janet		

SULLIVAN

Cloutier, John	Gottling, Suzanne	Grenier, James	Irwin, Virginia
Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee	

and floor amendment (2174h) failed.

The House recessed at 12:05 p.m.

RECESS

(Rep. Edelblut in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 114, 353, 605, 1227, 1301, 1307, 1339, 1377, 1396, 1503, 1547, 1584, 1590 and 2016 and Senate Bills numbered 391, 401, 411, 522 and 533.

Rep. Hinch, Sen. Prescott, for the Committee

The House reconvened at 1:30 p.m.

(Speaker Jasper in the Chair) CONSIDERATION OF HB 1000-FN-A (CONT'D)

The question now being adoption of the motion of Ought to Pass. Rep. Hannon offered floor amendment (2187h).

Floor Amendment (2187h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to hypodermic syringes and needles containing residual amounts of controlled drugs.

Amend the bill by replacing all after section 6 with the following:

7 Sale of Hypodermic Syringes and Needles. RSA 318:52-c is repealed and reenacted to read as follows:

318:52-c Sale of Hypodermic Syringes and Needles.

- I. No person shall sell, furnish, or give to any person, under 18 years of age, an instrument commonly known as a hypodermic syringe, hypodermic needle, or any instrument adapted for the administration of drugs by injection without the written or oral prescription of a duly licensed physician, dentist, veterinarian, podiatrist, or advanced practice registered nurse. Such prescription shall contain the name and address of the patient, the date of the prescription, the description of the instrument prescribed, and the number of instruments prescribed.
 - II. The following conditions shall apply to all purchases of hypodermic syringes or needles:
- (a) Retailers and dispensers of hypodermic syringes, needles, or any instrument adapted for the administration of drugs by injection shall provide to each purchaser at the time of purchase information regarding the safe disposal of hypodermic syringes or needles, including local disposal locations or a telephone number to call for such information, if appropriate.

(b) Retailers and dispensers shall also provide purchasers with information on drug addiction

treatment, including a local telephone number to get assistance, if appropriate.

8 New Paragraph; Controlled Drug Act; Definition Added. Amend RSA 318-B:1 by inserting after paragraph XXIX the following new paragraph:

XXIX-a. "Residual amount" means an unusable amount of a controlled substance in or on a hypodermic syringe or needle.

9 Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2, IV(d) to read as follows:

- (d) The proximity of any residue of controlled substances, except for hypodermic syringes and needles with or without residual amounts;
- 10 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Practitioner. Amend RSA 318-B:17-a to read as follows:
- 318-B:17-a Disposal of Controlled Drugs in Possession of Practitioner. No person other than the pharmacy board, its officers, agents, and inspectors is authorized to destroy any out-dated, deteriorated, excessive or otherwise unwanted or confiscated controlled drugs which are in the possession of a practitioner, veterinarian, pharmacy, peace officer, nursing home, manufacturer, wholesaler, clinic, or laboratory or hospital. No payment shall be made to any person or institution for any drug surrendered for destruction. A record shall be maintained which indicates the name, strength, and quantity of all drugs destroyed; the place and manner of destruction; the date and time destroyed; the name of the practitioner or institution surrendering the drugs; and the signature and title of the person witnessing destruction. Such records shall conform to any federal requirements and shall be open to inspection by all federal or state officers charged with the enforcement of federal or state controlled drug laws. *This section shall not apply to residual amounts in hypodermic syringes and needles*.
- 11 Controlled Drug Act; Penalties; Exception Added. Amend the introductory paragraph of RSA 318-B:26, I(c) to read as follows:
- (c) Except for residual amounts in hypodermic syringes and needles, in the case of a violation involving any of the following, a person may be sentenced to a maximum term of imprisonment of not more than 7 years, a fine of not more than \$100,000, or both. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person may be sentenced to a maximum term of imprisonment of not more than 15 years, a fine of not more than \$200,000, or both:
- 12 Repeal. RSA 318:52-d, recording and filing of prescriptions for hypodermic syringes and needles, is repealed.
 - 13 Effective Date.
 - I. Sections 3 and 5 of this act shall take effect July 1, 2017.
 - II. Sections 7-12 of this act shall take effect January 1, 2017.
 - III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also exempts residual amounts of controlled substances in hypodermic syringes and needles from the provisions of the controlled drug act. The bill also authorizes persons other than pharmacists to dispense hypodermic syringes and needles and allows them to be sold in retail establishments other than pharmacies.

Rep. Hannon spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 87 - NAYS 220

YEAS - 87 BELKNAP

Aldrich, Glen Fraser, Valerie	Gallagher, Brian	Howard, Raymond	Hurt, George	
	C	CARROLL		
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Ticehurst, Susan	
	C	HESHIRE		
Tilton, Benjamin Phillips, Larry	Bordenet, John	Roberts, Kris	McConnell, James	
		COOS		
Fothergill, John	Rideout, Leon			
	G	RAFTON		
Abel, Richard	Bailey, Brad	Hull, Robert		
	HILI	SBOROUGH		
Ammon, Keith	Bouldin, Amanda	Burt, John	Eastman, Eric	
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	
Fromuth, Bart	Smith, Gregory	Gould, Linda	Goulette, William	
Halstead, Carolyn	Hansen, Peter	Hogan, Edith	Christiansen, Lars	
Lachance, Joseph	Marston, Dick	McLean, Mark	Moore, Josh	
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Christie, Rick	
Schleien, Eric	Simmons, Tammy	Twombly, Timothy	Ulery, Jordan	
Sullivan, Victoria	Williams, Kermit	Zaricki, Nick		
MERRIMACK				
Brewster, Michael Horn, Werner	French, Harold Seaworth, Brian	Hill, Gregory	Hoell, J.R.	
	ROC	CKINGHAM		
Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol	
Duarte, Joe	Rice, Frederick	Gannon, William	Itse, Daniel	
Kappler, Lawrence	Kolodziej, Walter	Oligny, Jeffrey	Prudhomme-O'Brien, Katherine	
Gordon, Richard	Schroadter, Adam	Spillane, James	True, Chris	
Vose, Michael		•		

	S	TRAFFORD	
Beaudoin, Steven Groen, Warren Kaczynski, Thomas Whitehouse, Joshua	Bixby, Peter Hannon, Joseph Knowles, Robert Wuelper, Kurt	DeLemus, Susan Horrigan, Timothy Turcotte, Leonard	Graham, Robert Jones, Laura Pitre, Joseph
		NAYS - 220 BELKNAP	
Dumais, Russell Vadney, Herbert	Tilton, Franklin	Fields, Dennis	Spanos, Peter

CARROLL

Buco, Thomas	Butler, Edward	McCarthy, Frank	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	

CHESHIRE

Abbott, Michael Eaton, Daniel Parkhurst, Henry Tatro, Bruce Ames, Richard Johnsen, Gladys Robertson, Timothy Weber, Lucy

Berch, Paul Hunt, John Shepardson, Marjorie Chase, Cynthia Mann, John Sterling, Franklin

COOS

Froburg, Alethea Theberge, Robert Hatch, William Tholl, John Moynihan, Wayne

Richardson, Herbert

GRAFTON

Almy, Susan Hennessey, Erin Ladd, Rick Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Martha Smith, Suzanne Brown, Duane Gionet, Edmond Maes, Kevin Sykes, George Darrow, Stephen Higgins, Patricia Piper, Wendy Townsend, Charles

HILLSBOROUGH

Griffin, Barbara Barry, Richard Christensen, Chris Cote. David Forest, Armand Goley, Jeffrey Haefner, Robert Herbert, Christopher Jack, Martin LeBrun, Donald Manley, Jonathan Long, Patrick Peterson, Ken Rosenwald, Cindy Snow, Kendall Vann, Ivv

Backus, Robert Biggie, Barbara Roberts, Carol Danielson, David Freitas, Mary Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Jeudy, Jean Leishman, Peter McNamara, Richard McCarthy, Peggy Pierce, David Sanborn, Laurie Souza, Kathleen Wolf, Terry

Balcom, John
Boehm, Ralph
Cohen, Alan
DiSilvestro, Linda
Gargasz, Carolyn
Gorman, Mary
Harvey, Suzanne
Hopper, Gary
Rice, Kimberly
O'Brien, Michael
Murotake, David
Palmer, Barry
Porter, Marjorie
Scontsas, Lisa
Smith, Timothy

Baroody, Benjamin Byron, Frank Cornell, Patricia Flanagan, Jack Gidge, Kenneth Guerette, C. Lee Heath, Mary Infantine, William Kurk, Neal Mangipudi, Latha Brown, Pamela Pellegrino, Anthony Proulx, Mark Shaw, Barbara Takesian, Charlene

MERRIMACK

Turcotte, Alan Bradley, Paula Gile, Mary Karrick, David Luneau, David Ratzki, Mario Walsh, Thomas Alicea, Caroletta Rice, Chip Henle, Paul Kenison, Linda MacKay, James Rogers, Katherine Wallner, Mary Jane French, Barbara Carson, Clyde Hirsch, Geoffrey Kotowski, Frank Marple, Richard Saunderson, George Wheeler, Deborah

Woodbury, David

Bartlett, Christy Doherty, David Frazer, June Kuch, Bill Moffett, Howard Shurtleff, Stephen

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cali-Pitts, Jacqueline Cushing, Robert Devine, James Emerick, J. Tracy Friel, William Harris, Jeffrey Introne, Robert Manning, John McMahon, Charles Pantelakos, Laura Sytek, John

Woitkun, Steven

Abrami, Patrick Berrien, Skip Cardon, G. Thomas Thomas, Douglas DiFranco, Debbie Ferrante, Beverly Ward, Gerald Heffron, Frank Ward, Joanne Matthews, Carolyn Milz, David Potucek, John Webb, James Allen, Mary Borden, David Chirichiello, Brian Dean-Bailey, Yvonne Edgar, Michael Fesh, Robert Green, Dennis Hodgdon, Bruce Griffin, Mary McBeath, Rebecca O'Connor, John Tilton, Rio Welch, David Azarian, Gary
Cahill, Michael
Cook, Allen
DeSimone, Debra
Elliott, Robert
Francese, Paula
Guthrie, Joseph
Hoelzel, Kathleen
Major, Norman
McKinney, Betsy
Gordon, Pamela
Simpson, Alexis
Weyler, Kenneth

STRAFFORD

Baber, William Berube, Roger Burton, Wayne Cheney, Catherine Cilley, Jacalyn DiSesa, Len Gardner, Janice Gray, James Ward, Kenneth Kaen, Naida Smith, Marjorie Mullen, John Schmidt, Peter Southworth, Thomas Spang, Judith Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham, Lee Rollins, Skip Smith, Steven

and floor amendment (2187h) failed.

The question being adoption of the motion of Ought to Pass. Rep. Hoell offered floor amendment (2188h).

Floor Amendment (2188h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and repealing the license requirement for carrying a concealed pistol or revolver.

Amend the bill by replacing all after section 6 with the following:

7 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows: 159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose[, and that the applicant is a suitable person to be licensed], unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [4] 5 years. When required, license renewal shall take place within the month of the [fourth] fifth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-ofstate residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.

- 8 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as follows: 159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the license issued under RSA 159:6. The director shall apply to every jurisdiction with which New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement executed shall not expire unless an expiration date is required under the statutes of the reciprocal jurisdiction.
 - 9 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is repealed. 10 Effective Date.
 - I. Sections 3 and 5 of this act shall take effect July 1, 2017.
 - II. Sections 7-9 of this act shall take effect 60 days after its passage.
 - III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

- I. Requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.
 - II. Increases the length of time for which a license to carry a pistol or revolver is valid.
- III. Allows a person to carry a loaded, concealed pistol or revolver without a license provided such person is not otherwise prohibited by law.
- IV. Repeals the requirement to obtain a license to carry a concealed pistol or revolver. Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 100 - NAYS 214 WEAC 100

		YEAS - 100	
		BELKNAP	
Aldrich, Glen	Dumais, Russell	Gallagher, Brian	Howard, Raymond
Hurt, George	Fraser, Valerie	Vadney, Herbert	
		CARROLL	
Avellani, Lino	Comeau, Ed	Cordelli, Glenn	
		CHESHIRE	
Hunt, John	McConnell, James		
		COOS	
Rideout, Leon			
		GRAFTON	
Bailey, Brad Ingbretson, Paul	Brown, Duane	Darrow, Stephen	Hull, Robert
	HII	LLSBOROUGH	
Adams, Christopher	Ammon, Keith	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Goley, Jeffrey	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	Rice, Kimberly
Lachance, Joseph	Marston, Dick	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Christie, Rick	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy Zaricki, Nick	Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria
Lanck, Mor	N	MERRIMACK	
Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Seaworth, Brian

ROCKINGHAM

Baldasaro, Alfred Dean-Bailey, Yvonne Green, Dennis Kappler, Lawrence Gordon, Richard Vose, Michael Bates, David Duarte, Joe Harris, Jeffrey Kolodziej, Walter Schroadter, Adam

Chirichiello, Brian Rice, Frederick Hodgdon, Bruce Oligny, Jeffrey Spillane, James

Cook, Allen Gannon, William Itse, Daniel Prudhomme-O'Brien, Katherine True, Chris

STRAFFORD

Beaudoin, Steven Groen, Warren Knowles, Robert Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Turcotte, Leonard DeLemus, Susan Jones, Laura Pitre, Joseph

Graham, Robert Kaczynski, Thomas Whitehouse, Joshua

SULLIVAN

Converse, Larry

Laware, Thomas

Rollins, Skip

NAYS - 214 BELKNAP

Tilton, Franklin

Fields, Dennis

Spanos, Peter

CARROLL

Buco, Thomas McConkey, Mark Ticehurst, Susan Butler, Edward Nelson, Bill Umberger, Karen Chandler, Gene Parker, Harold McCarthy, Frank Schmidt, Stephen

CHESHIRE

Abbott, Michael Bordenet, John Roberts, Kris Robertson, Timothy Weber, Lucy Ames, Richard Chase, Cynthia Mann, John Shepardson, Marjorie Tilton, Benjamin Eaton, Daniel Parkhurst, Henry Sterling, Franklin Berch, Paul Johnsen, Gladys Phillips, Larry Tatro, Bruce

COOS

Fothergill, John Richardson, Herbert Froburg, Alethea Theberge, Robert Hatch, William Tholl, John

Moynihan, Wayne

GRAFTON

Abel, Richard Ford, Susan Hennessey, Martha Smith, Suzanne Almy, Susan Gionet, Edmond Maes, Kevin Sykes, George Cooney, Mary Higgins, Patricia Piper, Wendy Townsend, Charles Hennessey, Erin Ladd, Rick Brown, Rebecca

HILLSBOROUGH

Griffin, Barbara
Barry, Richard
Cornell, Patricia
Edwards, Elizabeth
Smith, Gregory
Gorman, Mary
Harvey, Suzanne
Infantine, William
Kurk, Neal
O'Brien, Michael
Brown, Pamela
Pellegrino, Anthony
Proulx, Mark
Souza, Kathleen

Williams, Kermit

Backus, Robert Christensen, Chris Cote, David Flanagan, Jack Gargasz, Carolyn Guerette, C. Lee Heath, Mary Belanger, James Christiansen, Lars Mangipudi, Latha Long, Patrick Peterson, Ken Rosenwald, Cindy Smith, Timothy Wolf, Terry Balcom, John
Roberts, Carol
Danielson, David
Forest, Armand
Gidge, Kenneth
Haefner, Robert
Herbert, Christopher
Jack, Martin
LeBrun, Donald
Manley, Jonathan
McCarthy, Peggy
Pierce, David
Shaw, Barbara
Takesian, Charlene
Woodbury, David

Baroody, Benjamin Cohen, Alan DiSilvestro, Linda Freitas, Mary Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Jeudy, Jean Leishman, Peter McNamara, Richard Palmer, Barry Porter, Marjorie Snow, Kendall Vann, Ivy

MERRIMACK

Alicea. Caroletta French, Barbara Bartlett, Christy Turcotte, Alan Rice, Chip Carson, Clyde Doherty, David Bradley, Paula Henle, Paul Hess, David Hirsch, Geoffrey Gile, Mary Kenison, Linda Kotowski, Frank Frazer, June Karrick, David Luneau, David MacKay, James Moffett, Howard Ratzki, Mario Rogers, Katherine Saunderson, George Shurtleff, Stephen Walsh, Thomas Wheeler, Deborah Wallner, Mary Jane

ROCKINGHAM

Christie, Andrew Abrami, Patrick Abramson, Max Allen, Mary Borden, David Barnes, Arthur Berrien, Skip Azarian, Garv Bush, Carol Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Cushing, Robert Thomas, Douglas DeSimone, Debra Devine, James Edgar, Michael Elliott, Robert Emerick, J. Tracy DiFranco, Debbie Friel, William Ferrante, Beverly Fesh, Robert Francese, Paula Ward, Gerald Guthrie, Joseph Heffron, Frank Hoelzel, Kathleen Introne, Robert Ward, Joanne Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McBeath, Rebecca McKinney, Betsy McMahon, Charles Milz. David Nigrello, Robert O'Connor, John Pantelakos, Laura Potucek, John Gordon, Pamela Packard, Sherman Tilton, Rio Sytek, John Webb, James Welch, David Weyler, Kenneth Woitkun, Steven

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne DiSesa, Len Gardner, Janice Gray, James Cilley, Jacalyn Horrigan, Timothy Ward, Kenneth Kaen, Naida Smith, Marjorie Mullen, John Schmidt, Peter Southworth, Thomas Spang, Judith Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia O'Hearne, Andrew Smith, Steven Oxenham, Lee

and floor amendment (2188h) failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Abramson moved that the House reconsider it action whereby, on a roll call vote of 100-214, the House failed to adopt floor amendment (2188h) on HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

Rep. Whitehouse requested a roll call; not sufficiently seconded.

On a division vote, with 81 members having voted in the affirmative, and 231 in the negative, the motion failed.

The question being adoption of the motion of Ought to Pass.

Rep. Hoell offered floor amendment (2189h).

Floor Amendment (2189h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to school attendance in towns with no public schools.

Amend the bill by replacing all after section 6 with the following:

7 School Districts; Contracts With Schools. Amend RSA 194:22 to read as follows:

194:22 Contracts With Schools.

I. Any school district may make a contract with an academy, high school, private school, or other literary institution located in this or, when distance or transportation facilities make it necessary, in another state, to provide for the education of a pupil who resides in the district and raise and appropriate money to carry the contract into effect. If the contract is approved by the state board of education or the school board of the school district in which the pupil resides, the school with which it is made shall be deemed a high school maintained by the district.

II. If there is no public school for the child's grade in the resident district, the district may assign the child to another public school in another school district or to a private school which has been approved for attendance by the department of education.

III. Notwithstanding any provision of law to the contrary, a school board may make a contract with any private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.

8 School Districts; Tuition. Amend RSA 194:27 to read as follows:

194:27 Tuition. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district, or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his or her tuition paid by the district where the pupil resides, and who attends an approved public high school [or], a public school of corresponding grade in another district [or], an approved public academy, or a private school which has been approved for attendance by the department of education. Except under contract as provided in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year. This current expense of operation shall include all costs except costs of transportation of pupils.

9 School Money; District Taxes; Estimates. Amend RSA 198:4 to read as follows:

198:4 Estimates. The school board of each district in its annual report shall state in detail the additional sums of money, if any, which will be required during the ensuing fiscal year for the support of the public schools, for the purchase of textbooks, scholars' supplies, flags and appurtenances, for the payment of the tuition of the pupils in the district in high schools [and], academies, or private schools in accordance with law, and for the payment of all other statutory obligations of the district.

10 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting

after paragraph III the following new paragraph:

- IV. Notwithstanding any provision of law to the contrary, a school board may make a contract with any private school to provide for the education of a pupil who resides in the school district, and may raise and appropriate money for the purposes of the contract, if the school district does not have a public school at the pupil's grade level and the school board decides it is in the best interest of the pupil.
 - 11 Effective Date.
 - I. Sections 3 and 5 of this act shall take effect July 1, 2017.
 - II. Sections 7-10 of this act shall take effect 60 days after its passage.
 - III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also allows a school district to assign a child to another public school in another school district or to an approved private school if there is no public school for the child's grade in the child's resident district. The bill also allows a school board to make a contract with a private school to provide for the education of a child who resides in a district which does not have a public school at the child's grade level.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 95 - NAYS 219

YEAS - 95 BELKNAP

Aldrich, Glen Hurt, George Dumais, Russell Fraser, Valerie Gallagher, Brian Vadney, Herbert Howard, Raymond

CARROLL

Comeau, Ed McCarthy, Frank Avellani, Lino Cordelli, Glenn

CHESHIRE

Hunt, John McConnell, James

COOS

Rideout, Leon

GRAFTON

Brown, Duane Hull, Robert Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher Ammon, Keith Boehm, Ralph Bouldin, Amanda Edelblut, Frank Estevez, Eric Gould, Linda Goulette, William Hogan, Edith Rice, Kimberly Marston, Dick McLean, Mark Notter, Jeanine Ohm, Bill Schleien, Eric Scontsas, Lisa Ulery, Jordan Sullivan, Victoria

Burt, John Ferreira, Elizabeth Halstead, Carolyn Christiansen, Lars Moore, Josh Christie, Rick Simmons, Tammy Zaricki, Nick

Balcom, John

Biggie, Barbara Eastman, Eric Fromuth, Bart Hansen, Peter Lachance, Joseph Murphy, Keith Sanborn, Laurie Twombly, Timothy

MERRIMACK

Brewster, Michael French, Harold Hill. Gregory Hoell, J.R. Marple, Richard Seaworth, Brian Horn, Werner Kuch, Bill

ROCKINGHAM

Abramson, Max Dean-Bailey, Yvonne Green, Dennis Kappler, Lawrence Gordon, Richard Vose, Michael

Baldasaro, Alfred Duarte, Joe Harris, Jeffrey Kolodziei, Walter Schroadter, Adam

Bates, David Rice, Frederick Hodgdon, Bruce Oligny, Jeffrey Spillane, James

Thomas, Douglas Gannon, William Itse, Daniel Prudhomme-O'Brien, Katherine

True, Chris

STRAFFORD

Beaudoin, Steven Groen, Warren Knowles, Robert Wuelper, Kurt

Cheney, Catherine Hannon, Joseph Turcotte, Leonard

DeLemus, Susan Jones, Laura Pitre, Joseph

Graham, Robert Kaczynski, Thomas Whitehouse, Joshua

SULLIVAN

Rollins, Skip

NAYS - 219 BELKNAP

Spanos, Peter Tilton, Franklin Fields, Dennis

CARROLL

Buco, Thomas Nelson, Bill Umberger, Karen Butler, Edward Parker, Harold

Chandler, Gene Schmidt, Stephen

McConkey, Mark Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames. Richard Tilton, Benjamin Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys Roberts, Kris Mann, John Parkhurst, Henry Phillips, Larry Shepardson, Marjorie Robertson, Timothy Sterling, Franklin Tatro. Bruce Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Richardson, Herbert Theberge, Robert

ırg, Alethea Hatch, William erge, Robert Tholl, John

Moynihan, Wayne

GRAFTON

Abel, Richard Darrow, Stephen Higgins, Patricia Piper, Wendy Townsend. Charles Almy, Susan Hennessey, Erin Ladd, Rick Brown, Rebecca Bailey, Brad Ford, Susan Hennessey, Martha Smith, Suzanne Cooney, Mary Gionet, Edmond Maes, Kevin Sykes, George

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Cornell, Patricia
Edwards, Elizabeth
Smith, Gregory
Gonzalez, Carlos
Hansberry, Daniel
Hinch, Richard
Jeudy, Jean
O'Brien, Michael
Murotake, David
Palmer, Barry
Porter, Marjorie
Snow, Kendall

Backus, Robert
Christensen, Chris
Cote, David
Flanagan, Jack
Gargasz, Carolyn
Gorman, Mary
Harvey, Suzanne
Hopper, Gary
Kurk, Neal
Mangipudi, Latha
Brown, Pamela
Pellegrino, Anthony
Proulx, Mark
Souza, Kathleen
Williams, Kermit

Baroody, Benjamin Roberts, Carol Danielson, David Forest, Armand Gidge, Kenneth Guerette, C. Lee Heath, Mary Belanger, James LeBrun, Donald Manley, Jonathan Long, Patrick Peterson, Ken Rosenwald, Cindy Smith, Timothy Wolf, Terry Barry, Richard Cohen, Alan DiSilvestro, Linda Freitas, Mary Goley, Jeffrey Haefner, Robert Herbert, Christopher Jack, Martin Leishman, Peter McNamara, Richard McCarthy, Peggy Pierce, David Shaw, Barbara Takesian, Charlene Woodbury, David

MERRIMACK

Turcotte, Alan Bradley, Paula Gile, Mary Frazer, June Luneau, David Rogers, Katherine Wallner, Mary Jane

Vann, Ivv

Alicea, Caroletta Rice, Chip Henle, Paul Karrick, David MacKay, James Saunderson, George Wheeler, Deborah

Abrami, Patrick

French, Barbara Carson, Clyde Hess, David Kenison, Linda Moffett, Howard Shurtleff, Stephen Bartlett, Christy Doherty, David Hirsch, Geoffrey Kotowski, Frank Ratzki, Mario Walsh, Thomas

ROCKINGHAM

Allen, Marv

Christie, Andrew Barnes, Arthur Cahill, Michael Cook, Allen DiFranco, Debbie Ferrante, Beverly Ward, Gerald Introne, Robert Major, Norman McKinney, Betsy O'Connor, John Potucek, John Welch, David

Berrien, Skip
Cali-Pitts, Jacqueline
Cushing, Robert
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
Sweeney, Joe
Manning, John
McMahon, Charles
Gordon, Pamela
Tilton, Rio
Weyler, Kenneth

Borden, David Cardon, G. Thomas DeSimone, Debra Elliott, Robert Francese, Paula Heffron, Frank Ward, Joanne Matthews, Carolyn Milz, David Packard, Sherman Sytek, John

Woitkun, Steven

Azarian, Gary Bush, Carol Chirichiello, Brian Devine, James Emerick, J. Tracy Friel, William Hoelzel, Kathleen Griffin, Mary McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Webb, James

STRAFFORD

Baber, William Cilley, Jacalyn Horrigan, Timothy Mullen, John Treleaven, Susan Berube, Roger DiSesa, Len Ward, Kenneth Schmidt, Peter Verschueren, James

Bixby, Peter Gardner, Janice Kaen, Naida Southworth, Thomas Wall, Janet Burton, Wayne Gray, James Smith, Marjorie Spang, Judith

SULLIVAN

Cloutier, John Converse, Larry Grenier, James Irwin, Virginia Smith, Steven Oxenham, Lee and floor amendment (2189h) failed.

Gagnon, Raymond Laware. Thomas

Gottling, Suzanne O'Hearne, Andrew

The question being adoption of the motion of Ought to Pass.

Rep. Rideout offered floor amendment (2190h).

Floor Amendment (2190h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and including a fetus in the definition of "another" for the purpose of certain criminal offenses.

Amend the bill by replacing all after section 6 with the following:

7 Homicide; Capital Murder. Amend RSA 630:1, IV to read as follows:

IV. As used in this section [and RSA 630:1-a, 1-b, 2, 3 and 4], the meaning of "another" [does] shall not include a [foetus] fetus.

8 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion, Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and RSA 630:4, the meaning of "another" shall mean another person, or a fetus as defined in subparagraph V(b).

- V.(a) Nothing in this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4 shall apply to any act committed by the woman pregnant with the fetus, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4, "abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the fetus. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of a fetus, or to remove a dead fetus caused by spontaneous abortion, or to remove an ectopic pregnancy.
- (b) In this section, "fetus" means an unborn offspring, from the embryo stage which is the end of the eighth week after conception or, in the case of in vitro fertilization, the end of the eighth week after implantation, until birth.
 - 9 Effective Date.
 - I. Sections 3 and 5 of this act shall take effect July 1, 2017.
 - II. Sections 7-8 of this act shall take effect January 1, 2017.
 - III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill provides that a fetus shall be included in the definition of "another" for the purpose of first and second degree murder, manslaughter, negligent homicide, and causing or aiding suicide.

Rep. Rideout spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 93 - NAYS 222

YEAS - 93 BELKNAP

Aldrich, Glen Dumais, Russell Hurt, George Fraser, Valerie

Gallagher, Brian

Howard, Raymond

CARROLL

Avellani, Lino Comeau, Ed Cordelli, Glenn McCarthy, Frank

CHESHIRE

McConnell, James

COOS

Fothergill, John Rideout, Leon

GRAFTON

Bailey, Brad Brown, Duane Hull, Robert Ingbretson, Paul

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Burt, John	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Goulette, William	Haistead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Palmer, Barry	Christie, Rick
Sanborn, Laurie	Schleien, Eric	Simmons, Tammy	Souza, Kathleen
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kuch, Bill Marple, Richard Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe	Rice, Frederick
Gannon, William	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter	Oligny, Jeffrey
Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam	Spillane, James
True, Chris	Vose, Michael		

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Thomas
Knowles, Robert	Turcotte, Leonard	Pitre, Joseph	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Rollins, Skip

NAYS - 222 BELKNAP

Tilton, Franklin Fields, Dennis Spanos, Peter Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul Bordenet, John Chase, Cynthia Eaton, Daniel Johnsen, Gladys

Hunt, John Phillips, Larry Tatro, Bruce Roberts, Kris Robertson, Timothy Weber, Lucy Mann, John Shepardson, Marjorie Parkhurst, Henry Sterling, Franklin

COOS

Froburg, Alethea Theberge, Robert Hatch, William Tholl, John Moynihan, Wayne Thomas, Yvonne Richardson, Herbert

GRAFTON

Abel, Richard Hennessey, Erin Ladd, Rick Brown, Rebecca Almy, Susan Ford, Susan Hennessey, Martha Smith, Suzanne Cooney, Mary Gionet, Edmond Maes, Kevin Sykes, George

Darrow, Stephen Higgins, Patricia Piper, Wendy Townsend, Charles

HILLSBOROUGH

Griffin, Barbara
Barry, Richard
Christensen, Chris
Cote, David
Flanagan, Jack
Gargasz, Carolyn
Gorman, Mary
Harvey, Suzanne
Belanger, James
Kurk, Neal
O'Brien, Michael
Brown, Pamela
Peterson, Ken
Rosenwald, Cindy

Backus, Robert Biggie, Barbara Roberts, Carol Danielson, David Forest, Armand Gidge, Kenneth Guerette, C. Lee Heath, Mary Jack, Martin Christiansen, Lars Mangipudi, Latha Long, Patrick Pierce, David Scontsas, Lisa Takesian, Charlene Woodbury, David

Balcom, John
Bouldin, Amanda
Cohen, Alan
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Jeudy, Jean
LeBrun, Donald
Manley, Jonathan
McCarthy, Peggy
Porter, Marjorie
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin Byron, Frank Cornell, Patricia Edwards, Elizabeth Smith, Gregory Gonzalez, Carlos Hansberry, Daniel Hinch, Richard Rice, Kimberly Leishman, Peter McNamara, Richard Pellegrino, Anthony Proulx, Mark Snow, Kendall Williams, Kermit

MERRIMACK

Turcotte, Alan Bradley, Paula Gile, Mary Frazer, June Luneau, David Rogers, Katherine Wallner, Mary Jane

Smith, Timothy

Wolf, Terry

Alicea, Caroletta Rice, Chip Henle, Paul Karrick, David MacKay, James Saunderson, George Wheeler, Deborah French, Barbara Carson, Clyde Hess, David Kenison, Linda Moffett, Howard Shurtleff, Stephen

Bartlett, Christy Doherty, David Hirsch, Geoffrey Kotowski, Frank Ratzki, Mario Walsh, Thomas

ROCKINGHAM

Christie, Andrew Barnes, Arthur Cahill, Michael Thomas, Douglas Edgar, Michael Fesh, Robert Guthrie, Joseph Sweeney, Joe Manning, John McMahon, Charles Gordon, Pamela Tilton, Rio Welch, David

Abrami, Patrick Berrien, Skip Cali-Pitts, Jacqueline DeSimone, Debra Elliott, Robert Francese, Paula Heffron, Frank Ward, Joanne Matthews, Carolyn Milz, David Packard, Sherman Sherman, Thomas Weyler, Kenneth Allen, Mary Borden, David Cardon, G. Thomas Devine, James Emerick, J. Tracy Friel, William Hoelzel, Kathleen Griffin, Mary McBeath, Rebecca Nigrello, Robert Pantelakos, Laura Sytek, John Woitkun. Steven Azarian, Gary Bush, Carol Cushing, Robert DiFranco, Debbie Ferrante, Beverly Ward, Gerald Introne, Robert Major, Norman McKinney, Betsy O'Connor, John Potucek, John Webb, James

STRAFFORD

Burton, Wavne Baber, William Berube, Roger Bixby, Peter Cilley, Jacalyn DiSesa, Len Gardner, Janice Gray, James Horrigan, Timothy Ward, Kenneth Kaen, Naida Smith, Marjorie Mullen, John Schmidt, Peter Southworth, Thomas Spang, Judith

Treleaven, Susan Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne Grenier, James Irwin, Virginia Laware, Thomas O'Hearne, Andrew Oxenham. Lee Smith, Steven

Oxenham, Lee Smith, Steven and floor amendment (2190h) failed.

The question being adoption of the motion of Ought to Pass. Rep. Hannon offered floor amendment (2193h).

Floor Amendment (2193h)

Amend the bill by replacing all after section 2 with the following:

- 3 New Subparagraph; Administrative Procedures Act; Exceptions. Amend RSA 541-A:21, I by inserting after subparagraph (hh) the following new subparagraph:
 - (ii) RSA 21-P:67, relative to the substance abuse enforcement program.
 - 4 Appropriation; Department of Safety; Substance Abuse Enforcement Program.
- I. The sum of \$1,500,000 for the biennium ending June 30, 2017 is hereby appropriated to the department of safety, for the purpose of funding the substance abuse enforcement program under RSA 21-P:66.
- II.(a) For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to 2 separate accounting units as follows:
- (1) An accounting unit for enforcement activities, including grants to local and county agencies.
 - (2) An accounting unit for division of forensic science laboratory activities.
- (b) Prior to making such transfers, the governor shall certify to the fiscal committee of the general court that any excess appropriations identified pursuant to this section are in addition to the projected lapses assumed during the adoption of the state operating budget for the biennium ending June 30, 2017. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.
 - 5 Repeal. The following are repealed:
 - I. RSA 21-P:66 through RSA 21-P:67, relative to the substance abuse enforcement program.
- II. RSA 541-A:21, I(ii), relative to a rulemaking exception for the substance abuse enforcement program.
 - 6 Effective Date.
 - I. Section 5 of this act shall take effect July 1, 2017.
 - II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

The provisions of this bill are repealed on July 1, 2017.

Rep. Hannon spoke in favor.

On a division vote, with 93 members having voted in the affirmative, and 222 in the negative, floor amendment (2193h) failed.

The question being adoption of the motion of Ought to Pass. Rep. Victoria Sullivan offered floor amendment (2194h).

Floor Amendment (2194h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor and relative to drug take-back programs.

Amend the bill by replacing all after section 6 with the following:

7 Controlled and Noncontrolled Drug Take-Back Programs. Amend the chapter heading of RSA 318-E to read as follows:

CHAPTER 318-E

CONTROLLED AND NONCONTROLLED

[PHARMACEUTICAL] DRUG TAKE-BACK PROGRAMS

8 Controlled and Noncontrolled Drug Take-Back Programs. Amend RSA 318-E:1 to read as follows: 318-E:1 [Pharmaceutical] Drug Take-Back Programs Authorized.

I. A local, county, regional, state, or other governmental entity or private entity in conjunction with the chief law enforcement officer of a law enforcement agency may establish a controlled and noncontrolled pharmaceutical [drug] and illicit drug and drug paraphernalia take-back program. For the purposes of this chapter, ["pharmaceutical drug"] "drug" means a prescription or over-thecounter drug, including, but not limited to, controlled drugs as defined in [this chapter] RSA 318-B and any illicit drugs such as cocaine, heroin, and paraphernalia.

I-a. A registered pharmacy may establish a controlled and noncontrolled pharmaceutical drug take-back program provided it complies with the United States Drug Enforcement Administration

regulations, 21 C.F.R. part 1300 et seq.

II. A [pharmaceutical] drug take-back program established by a local, county, regional, state, or other governmental entity or private entity shall enable individuals [with dispensed drugs] to voluntarily return the unused drugs for collection, storage, and disposal in accordance with applicable state and federal statutes and regulations without penalty and with amnesty.

III. The department of justice, in consultation with the pharmacy board, the department of safety, and the department of environmental services shall establish rules, pursuant to RSA 541-A, for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

IV. The disposal requirements for controlled drugs stipulated in RSA 318-B:17 shall not apply to controlled and noncontrolled drugs collected in accordance with this section.

V. Nothing in the implementation of a [pharmaceutical] drug take-back program shall require, at the place of collection, any individual who is returning drugs to disclose his or her personal identification in order to return unused drugs.

VI. [Pharmaceutical] Drug take-back programs established under this chapter may accept public and private grants and donations of money for the purpose of covering the costs of such programs, including, but not limited to public funds appropriated for this purpose and a fee from participating individuals returning unused pharmaceuticals].

VII. Persons who return drugs or paraphernalia may be provided with the opportunity to speak with an employee, staff member, or volunteer who shall aid them in finding suitable rehabilitation assistance.

9 Effective Date.

- I. Sections 3 and 5 of this act shall take effect July 1, 2017.
- II. Sections 7 and 8 of this act shall take effect January 1, 2017.
- III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the commissioner of safety to establish a substance abuse enforcement program within the department of safety, division of state police, to assist state, county, and local law enforcement agencies in addressing the opioid crisis. The bill makes an appropriation for the program.

This bill also adds illicit drugs and drug paraphernalia to the drug take-back programs. Under this bill, the drug take-back program may have an on site employee, staff member, or volunteer to offer aid to the persons returning the drugs in finding suitable rehabilitation assistance.

Rep. Victoria Sullivan spoke in favor.

On a division vote, with 101 members having voted in the affirmative, and 213 in the negative, floor amendment (2194h) failed.

MOTION TO SUSPEND HOUSE RULES

Rep. Phillips moved that House Rules be so far suspended as to allow consideration of floor amendments to HB 1000-FN-A that are non-germane.

Rep. Phillips requested a roll call; sufficiently seconded.

YEAS 91 - NAYS 223

YEAS - 91 BELKNAP

Howard, Raymond Aldrich, Glen

Hurt, George

Spanos, Peter

Fraser, Valerie Vadney, Herbert

CARROLL

Comeau, Ed Avellani, Lino

Ticehurst, Susan

CHESHIRE

Bordenet, John Robertson, Timothy Roberts, Kris

McConnell, James

Phillips, Larry

GRAFTON

Darrow, Stephen

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph
Eastman, Eric	Edelblut, Frank
Fromuth, Bart	Gidge, Kenneth
Halstead, Carolyn	Hansen, Peter
Infantine, William	Rice, Kimberly
Marston, Dick	McLean, Mark
Murphy, Keith	Notter, Jeanine
Schleien, Eric	Scontsas, Lisa
Ulery, Jordan	Sullivan, Victoria

Bouldin, Amanda Edwards, Elizabeth Gould, Linda Hogan, Edith Christiansen, Lars Moore, Josh Ohm, Bill Simmons, Tammy Vann, Ivy

Burt, John Ferreira, Elizabeth Goulette, William Hopper, Gary Lachance, Joseph Murotake, David Christie, Rick Twombly, Timothy Zaricki, Nick

MERRIMACK

Brewster, Michael Marple, Richard

French, Harold Seaworth, Brian

Hill, Gregory

Hoell, J.R.

ROCKINGHAM

Abramson, Max Cushing, Robert Green, Dennis Kappier, Lawrence Schroadter, Adam

Baldasaro, Alfred Dean-Bailey, Yvonne Harris, Jeffrey Kolodziej, Walter

Duarte, Joe Heffron, Frank Oligny, Jeffrey True. Chris

Bates, David

Cook, Allen Gannon, William Itse. Daniel

Prudhomme-O'Brien, Katherine

Vose, Michael

STRAFFORD

Beaudoin, Steven Groen, Warren Knowles, Robert

Dumais, Russell

Bixby, Peter Hannon, Joseph Turcotte, Leonard

Spillane, James

Cheney, Catherine Jones, Laura Whitehouse, Joshua DeLemus, Susan Kaczynski, Thomas Wuelper, Kurt

NAYS - 223 BELKNAP

Tilton, Franklin

Fields, Dennis

Gallagher, Brian

CARROLL

Buco, Thomas Butler, Edward Chandler, Gene Cordelli, Glenn McCarthy, Frank McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen

CHESHIRE

Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul Chase, Cynthia Eaton, Daniel Johnsen, Gladys Hunt, John Mann, John Parkhurst, Henry Shepardson, Marjorie Sterling, Franklin Tatro, Bruce Weber, Lucy

COOS

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Theberge, Robert Tholl, John Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bailey, Brad Cooney, Mary Brown, Duane Hennessey, Erin Ford, Susan Gionet, Edmond Higgins, Patricia Ladd, Rick Hennessey, Martha Maes, Kevin Piper, Wendy Brown, Rebecca Smith, Suzanne Sykes, George Townsend, Charles

HILLSBOROUGH

Griffin, Barbara Backus, Robert Balcom, John Baroody, Benjamin Barry, Richard Biggie, Barbara Byron, Frank Christensen, Chris Roberts, Carol Cohen, Alan Cornell, Patricia Cote, David Danielson, David DiSilvestro, Linda Estevez, Eric Flanagan, Jack Forest, Armand Freitas, Marv Smith, Gregory Gargasz, Carolyn Goley, Jeffrey Gonzalez, Carlos Gorman, Mary Guerette, C. Lee Haefner, Robert Hansberry, Daniel Harvey, Suzanne Heath, Marv Herbert, Christopher Hinch, Richard Belanger, James Jack, Martin Jeudy, Jean Kurk, Neal LeBrun, Donald Leishman, Peter O'Brien, Michael Mangipudi, Latha Manley, Jonathan McNamara, Richard Brown, Pamela Long, Patrick McCarthy, Peggy Palmer, Barry Pellegrino, Anthony Peterson, Ken Pierce, David Porter, Marjorie Proulx, Mark Rosenwald, Cindy Sanborn, Laurie Shaw, Barbara Snow, Kendall Souza, Kathleen Smith, Timothy Takesian, Charlene Williams, Kermit Wolf, Terry Woodbury, David

MERRIMACK

Alicea, Caroletta Turcotte, Alan French, Barbara Bartlett, Christy Bradley, Paula Rice, Chip Carson, Clyde Doherty, David Gile, Mary Henle, Paul Hess. David Hirsch, Geoffrey Horn, Werner Frazer, June Karrick, David Kenison, Linda Kotowski, Frank Kuch, Bill Luneau, David MacKay, James Moffett, Howard Ratzki, Mario Rogers, Katherine Saunderson, George Shurtleff, Stephen Walsh, Thomas Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM Christie, Andrew Abrami, Patrick Allen, Mary Azarian, Gary Barnes, Arthur Berrien, Skip Bush, Carol Cahill, Michael Cali-Pitts, Jacqueline Cardon, G. Thomas Chirichiello, Brian Thomas, Douglas DeSimone, Debra Devine, James DiFranco, Debbie Edgar, Michael Elliott, Robert Emerick, J. Tracy Rice. Frederick Ferrante, Beverly Fesh, Robert Francese, Paula Friel, William Ward, Gerald Guthrie, Joseph Hodgdon, Bruce Hoelzel, Kathleen Introne, Robert Sweeney, Joe Ward, Joanne Griffin, Mary Major, Norman

Manning, John	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Gordon, Pamela	Packard, Sherman	Pantelakos, Laura	Potucek, John
Gordon, Richard	Titton, Rio	Sherman, Thomas	Sytek, John
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
	ST	RAFFORD	
Baber, William	Berube, Roger	Burton, Wayne	Cilley, Jacalyn

Baber, William Berube, Hoger
DiSesa, Len Gardner, Janice
Horrigan, Timothy Ward, Kenneth
Mullen, John Schmidt, Peter
Spang, Judith Treleaven, Susan

Burton, Wayne Cilley, Jacalyn
Graham, Robert Gray, James
Kaen, Naida Smith, Marjorie
Pitre, Joseph Southworth, Thomas
Verschueren, James Wall, Janet

SULLIVAN

Cloutier, John Grenier, James Oxenham, Lee and the motion failed. Converse, Larry Irwin, Virginia Rollins, Skip Gagnon, Raymond Laware, Thomas Smith, Steven Gottling, Suzanne O'Hearne, Andrew

Gallagher Brian

The question being adoption of the motion of Ought to Pass.

MOTION TO AMEND DEBATE LIMIT

Rep. Itse moved to amend the debate limit previously adopted. The Speaker ruled the motion out of order.

The question now being adoption of the motion of Ought to Pass on HB 1000-FN-A. Reps. Umberger, Shurtleff and Hinch spoke in favor.

Rep. Burt spoke against.

Dunnala Dunnall

Rep. Hinch requested a roll call; sufficiently seconded.

Tilton Eronklin

YEAS 235 - NAYS 74

YEAS - 235

BELKNA	P
Fielde	Donnie

Dumais, Russell	Hitton, Franklin	rieids, Delinis	Gallayner, briair
Hurt, George	Spanos, Peter	Fraser, Valerie	
		CARROLL	
Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	•	
,,			
	(CHESHIRE	
Abbott, Michael	Ames, Richard	Tilton, Benjamin	Berch, Paul
Bordenet, John	Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys
Hunt, John	Mann, John	Parkhurst, Henry	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Weber, Lucy	
		COOS	

COC

Fothergill, John Froburg, Alethea Hatch, William Moynihan, Wayne Richardson, Herbert Rideout, Leon Theberge, Robert Tholl, John Thomas. Yvonne

GRAFTON

Bailey, Brad Cooney, Mary Almy, Susan Abel, Richard Hennessev. Erin Ford, Susan Darrow, Stephen Brown, Duane Hennessey, Martha Gionet, Edmond Higgins, Patricia Ladd, Rick Sykes, George Smith, Suzanne Piper, Wendy Maes, Kevin Townsend, Charles

Griffin, Barbara
Barry, Richard
Roberts, Carol
Danielson, David
Smith, Gregory
Gonzalez, Carlos
Haefner, Robert
Herbert, Christopher
Belanger, James
LeBrun, Donald
Manley, Jonathan
Palmer, Barry
Porter, Marjorie
Shaw, Barbara
Takesian, Charlene

Backus, Robert
Biggie, Barbara
Cohen, Alan
DiSilvestro, Linda
Gargasz, Carolyn
Gorman, Mary
Hansberry, Daniel
Hinch, Richard
Jack, Martin
Leishman, Peter
McNamara, Richard
Pellegrino, Anthony
Proulx, Mark
Snow, Kendall
Vann, Ivy

Balcom, John Byron, Frank Cornell, Patricia Forest, Armand Gidge, Kenneth Gould, Linda Harvey, Suzanne Hopper, Gary Jeudy, Jean O'Brien, Michael Long, Patrick Peterson, Ken Rosenwald, Cindy Souza, Kathleen Williams, Kermit

Baroody, Benjamin Christensen, Chris Cote, David Freitas, Mary Goley, Jeffrey Guerette, C. Lee Heath, Mary Infantine, William Lachance, Joseph Mangipudi, Latha McCarthy, Peggy Pierce, David Sanborn, Laurie Smith, Timothy Wolf, Terry

MERRIMACK

Turcotte, Alan Bradley, Paula Gile, Mary Horn, Werner Kotowski, Frank Moffett, Howard Shurtleff, Stephen

Woodbury, David

Alicea, Caroletta Rice, Chip Henle, Paul Frazer, June Kuch, Bill Ratzki, Mario Walsh, Thomas

Abrami, Patrick

French, Barbara Carson, Clyde Hess, David Karrick, David Luneau, David Rogers, Katherine Wallner, Mary Jane

Bartlett, Christy Doherty, David Hirsch, Geoffrey Kenison, Linda MacKay, James Saunderson, George Wheeler, Deborah

ROCKINGHAM

Christie, Andrew
Barnes, Arthur
Cali-Pitts, Jacqueline
Thomas, Douglas
DiFranco, Debbie
Rice, Frederick
Friel, William
Guthrie, Joseph
Ward, Joanne
Matthews, Carolyn
Milz, David
Packard, Sherman

Berrien, Skip
Cardon, G. Thomas
Dean-Bailey, Yvonne
Edgar, Michael
Ferrante, Beverly
Ward, Gerald
Hoelzel, Kathleen
Griffin, Mary
McBeath, Rebecca
Nigrello, Robert
Pantelakos, Laura
Sherman, Thomas
Weyler, Kenneth

Allen, Mary Borden, David Chirichiello, Brian DeSimone, Debra Elliott, Robert Fesh, Robert Gannon, William Introne, Robert Major, Norman McKinney, Betsy O'Connor, John Potucek, John Sytek, John Woitkun, Steven

Azarian, Gary
Cahill, Michael
Cook, Allen
Devine, James
Emerick, J. Tracy
Francese, Paula
Green, Dennis
Sweeney, Joe
Manning, John
McMahon, Charles
Gordon, Pamela

Prudhomme-O'Brien, Katherine Webb, James

webb, Jame

STRAFFORD

Baber, William Cheney, Catherine Graham, Robert Kaen, Naida Schmidt, Peter Verschueren, James

Tilton, Rio

Welch, David

Berube, Roger Cilley, Jacalyn Gray, James Knowles, Robert Southworth, Thomas Wall, Janet Bixby, Peter DiSesa, Len Horrigan, Timothy Smith, Marjorie Spang, Judith

Burton, Wayne Gardner, Janice Ward, Kenneth Mullen, John Treleaven, Susan

SULLIVAN

Cloutier, John Grenier, James Oxenham, Lee

Converse, Larry Irwin, Virginia Rollins, Skip Gagnon, Raymond Laware, Thomas Smith, Steven Gottling, Suzanne O'Hearne, Andrew NAYS - 74

BELKNAP

Aldrich, Glen Howard, Raymond

Vadney, Herbert

CARROLL

Avellani, Lino

Comeau, Ed

Ticehurst, Susan

CHESHIRE

Roberts, Kris

McConnell, James

Phillips, Larry

Bouldin, Amanda

Robertson, Timothy

GRAFTON

Hull, Robert

HILLSBOROUGH

Ammon, Keith
Eastman, Eric
Ferreira, Elizabeth
Hansen, Peter
Marston, Dick
Murphy, Keith
Simmons, Tammy
Zaricki, Nick

Boehm, Ralph Edelblut, Frank Fromuth, Bart Hogan, Edith McLean, Mark Notter, Jeanine

Twombly, Timothy

Edwards, Elizabeth Goulette, William Rice, Kimberly Moore, Josh Ohm, Bill Ulery, Jordan Burt, John Estevez, Eric Halstead, Carolyn Kurk, Neal Murotake, David Scontsas, Lisa Sullivan, Victoria

MERRIMACK

Brewster, Michael Marple, Richard

French, Harold Hill, Gregory Seaworth, Brian Hoell, J.R.

ROCKINGHAM

Abramson, Max Cushing, Robert Hodgdon, Bruce Oligny, Jeffrey True, Chris Baldasaro, Alfred Duarte, Joe Itse, Daniel Gordon, Richard Vose, Michael

Bates, David Harris, Jeffrey Kappler, Lawrence Schroadter, Adam Bush, Carol Heffron, Frank Kolodziej, Walter Spillane, James

STRAFFORD

Beaudoin, Steven Jones, Laura Whitehouse, Joshua DeLemus, Susan Kaczynski, Thomas Wuelper, Kurt Groen, Warren Turcotte, Leonard Hannon, Joseph Pitre, Joseph

and the motion was adopted and ordered to third reading.

RESOLUTION

Reps. Hinch and Shurtleff offered the following: RESOLVED, that House Bill 1000-FN-A be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.

Motion adopted.

Third Reading and Final Passage

HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

GOVERNOR'S VETO MESSAGE ON HB 512

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 512, prohibiting the confiscation of firearms, ammunition, or firearms accessories during a state of emergency. "Current New Hampshire law, RSA 4:46, already makes clear that the state cannot confiscate firearms and ammunition as a result of a state of emergency. This bill had two main components. The first added 'firearms accessories' to the items that could not be confiscated – a change that I would have signed into law. The second provision

would subject members of law enforcement, members of the National Guard and even private security officers to personal civil penalties and lawsuits. This provision has raised serious concerns with the New Hampshire Association of Chiefs of Police and the New Hampshire Police Association, and it is because of those concerns that I am vetoing House Bill 512. "In a letter, the New Hampshire Association of Chiefs of Police wrote: 'This legislation endangers the safety of New Hampshire citizens and broadly overextends the State's influence on local control. This bill restricts the taking of firearms, firearm accessories, ammunition, or ammunition components during a declared state of emergency. It does not offer an exception for seizure of firearms or ammunition if they are used in the commission of a crime or part of a protective order. Furthermore, this legislation infringes on local control by legislating specific corrective and disciplinary actions historically held by the local government.' "In a state of emergency, there may still be reasons - violation of a domestic violence restraining order or criminal activity, for instance - that demand the lawful seizure of a weapon. Police officers should not fear that if they follow lawful orders during a state of emergency that they will be subject to personal lawsuits and personal fines, which could be thousands of dollars. Even if, and when, a civil court ultimately finds that they were acting in accordance with the law in a particular case, the police officer may still incur significant personal costs in defending themselves. "Current law already provides remedies, including compensation to individuals, for property taken during a state of emergency. There is no compelling reason to subject individual members of law enforcement to civil penalties, including fear of losing their lifesavings or home for doing their job appropriately and exercising their lawful duty to maintain public safety. Therefore, I have vetoed House Bill 512."

Respectfully submitted, Margaret Wood Hassan, Governor

Smith, Gregory

The question being, notwithstanding the Governor's veto, shall HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency, become law? Rep. Cushing spoke against.

Rep. Hoell spoke in favor.

Estevez, Eric

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 169 - NAYS 130

	YEAS - 169
	BELKNAP
nais Russell	Tilton Franklin

Aldrich, Glen Howard, Raymond	Dumais, Russell Hurt, George	Tilton, Franklin Fraser, Valerie	Gallagher, Brian Vadney, Herbert
	C	CARROLL	
Avellani, Lino McCarthy, Frank Schmidt, Stephen	Chandler, Gene McConkey, Mark Umberger, Karen	Comeau, Ed Nelson, Bill	Cordelli, Glenn Parker, Harold
	C	HESHIRE	
Hunt, John	McConnell, James	Phillips, Larry	
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	G	RAFTON	
Bailey, Brad Hull, Robert	Brown, Duane Ladd, Rick	Darrow, Stephen	Gionet, Edmond
	HILI	SBOROUGH	
Ammon, Keith Biggie, Barbara Christensen, Chris	Griffin, Barbara Boehm, Ralph Danielson, David	Balcom, John Burt, John Eastman, Eric	Barry, Richard Byron, Frank Edelblut, Frank

Fromuth, Bart

Ferreira, Elizabeth

1214	House Jour	nal June 16, 2016	
Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Belanger, James
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	McCarthy, Peggy	Palmer, Barry
Peterson, Ken	Proulx, Mark	Sanborn, Laurie	Scontsas, Lisa
Shaw, Barbara	Simmons, Tammy	Souza, Kathleen	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Sullivan, Victoria	Wolf, Terry
Zaricki, Nick	0.0.,, 00.00	,	•
Zerrom, reserv	B.ETC	DDIMACW	
A1		RRIMACK	Hess, David
Turcotte, Alan	Brewster, Michael	French, Harold	Kotowski, Frank
Hill, Gregory	Hoell, J.R.	Horn, Werner	,
Kuch, Bill	Marple, Richard	Seaworth, Brian	Walsh, Thomas
	ROC	CKINGHAM	
Christie, Andrew	Abrami, Patrick	Abramson, Max	Allen, Mary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol
Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen	Thomas, Douglas
Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Rice, Frederick	Fesh, Robert
Friel, William	Gannon, William	Green, Dennis	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Ward, Joanne	Kappler, Lawrence	Kolodziej, Walter
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Gordon, Richard	Schroadter, Adam	Spillane, James
Sytek, John	True, Chris	Vose, Michael	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	
	ST	RAFFORD	
Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Graham, Robert
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Thomas	Knowles, Robert	Turcotte, Leonard	Mullen, John
Pitre, Joseph	Whitehouse, Joshua	Wuelper, Kurt	
i ilic, coopii		•	
	-	ULLIVAN Belling Skip	Smith, Steven
Grenier, James	Laware, Thomas	Rollins, Skip	Stiller, Steven
		IAYS - 130	
	1	BELKNAP	
Fields, Dennis			
	(CARROLL	
Buco, Thomas	Butler, Edward	Ticehurst, Susan	
2000, 1110	•	THECHIDE	
411 11 48 1 1		CHESHIRE Tilton, Benjamin	Berch, Paul
Abbott, Michael	Ames, Richard	Eaton, Daniel	Johnsen, Gladys
Bordenet, John	Chase, Cynthia	Parkhurst, Henry	Robertson, Timothy
Roberts, Kris	Mann, John	Weber, Lucy	riodoridon, rimothy
Shepardson, Marjorie	Tatro, Bruce	WEDEI, LUCY	
		COOS	

Froburg, Alethea

Thomas, Yvonne

Fothergill, John

Theberge, Robert

Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard	Almy, Susan	Ford, Susan	Higgins, Patricia	
Hennessey, Martha	Maes, Kevin	Piper, Wendy	Smith, Suzanne	
Sykes, George	Townsend, Charles			

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Roberts, Carol	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeudy, Jean	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
Long, Patrick	Pierce, David	Porter, Marjorie	Rosenwald, Cindy
Snow, Kendall	Smith, Timothy	Vann, Ivy	Williams, Kermit
Woodbury, David	•	•	·

MERRIMACK

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Bradley, Paula
Rice, Chip	Carson, Clyde	Doherty, David	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Frazer, June	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Moffett, Howard
Ratzki, Mario	Rogers, Katherine	Saunderson, George	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		,

ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Edgar, Michael
Ferrante, Beverly	Francese, Paula	Ward, Gerald	Heffron, Frank
McBeath, Rebecca	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Treleaven, Susan	Verschueren, James
Wall, Janet	, 0,	,	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	•
and the vote was	systeinad laakina tha nasa		

and the veto was sustained lacking the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 533

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 533, relative to installation requirements for arc-fault circuit interrupters. "Arc-fault protection is a significant advancement in electrical system technology that helps prevent fires from overheated and arcing wires, potentially saving lives and preventing property loss. House Bill 533 would allow an exemption to the use of arc-fault circuit interrupters after repeated tripping and after determination that the branch circuit is the not cause. However, this bill does not take into consideration what the actual cause of the nuisance tripping is, potentially reducing the level of fire protection in homes and threatening public safety. "Arc-fault protection can reduce the chance of an electrical fire occurring. Simply switching the arc-fault protection to another device without this protection against fires - without understanding the root cause of the electrical system issues - takes away from New Hampshire families an important protection of the electrical code that works and helps save lives. "Additionally, New Hampshire has established a State Building Code Review Board to ensure the technical expertise of professionals is an important part of our process when considering changes to the building code. That process was not

followed in this case, and in fact, the Building Code Review Board opposes this legislation. "The State Fire Marshal, the New Hampshire State Building Code Review Board, the New Hampshire Building Officials Association, the International Brotherhood of Electrical Workers Local 490, the Electrical Safety Foundation International, the National Electrical Manufacturers Association, the National Fire Protection Association and dozens of advocates who have been victims of severe and debilitating burns have expressed opposition to this bill, rejecting the need to scale back successful technology that help save lives. "Because this measure could jeopardize the safety of our families, I have vetoed House Bill 533."

Respectfully submitted, Margaret Wood Hassan, Governor

Murotake, David

McCarthy, Peggy

Pierce, David

Shaw, Barbara

Zaricki, Nick

Twombly, Timothy

The question being, notwithstanding the Governor's veto, shall **HB 533**, relative to installation requirements for arc-fault circuit interrupters, become law?

Rep. Goley spoke against.

Reps. Gordon and Proulx spoke in favor and yielded to questions.

Rep. Groen spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 179 - NAYS 112

YEAS - 179

	B.	ELKNAP	
Aldrich, Glen	Dumais, Russell	Tilton, Franklin	Fields, Dennis
Gallagher, Brian Vadney, Herbert	Howard, Raymond	Hurt, George	Fraser, Valerie
	C	ARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank Schmidt, Stephen	McConkey, Mark Umberger, Karen	Nelson, Bill	Parker, Harold
	CI	HESHIRE	
Bordenet, John Mann, John	Johnsen, Gladys Phillips, Larry	Hunt, John	Roberts, Kris
		COOS	
Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John
	G	RAFTON	
Bailey, Brad Hull, Robert	Brown, Duane Ladd, Rick	Darrow, Stephen	Gionet, Edmond
	HILL	SBOROUGH	
Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Cohen, Alan	DiSilvestro, Linda	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Forest, Armand
Fromuth, Bart	Smith, Gregory	Gargasz, Carolyn	Gould, Linda
Goulette, William	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Belanger, James	Kurk, Neal	Lachance, Joseph	LeBrun, Donald

Moore, Josh

Peterson, Ken

Scontsas, Lisa

Wolf, Terry

Takesian, Charlene

Ohm, Bill

McLean, Mark

Notter, Jeanine

Sanborn, Laurie

Sullivan, Victoria

Snow, Kendali

Pellegrino, Anthony

Marston, Dick

Murphy, Keith

Palmer, Barry

Proulx, Mark

Ulery, Jordan

Simmons, Tammy

MERRIMACK

Hess. David Brewster, Michael French, Harold Turcotte, Alan Kotowski, Frank Hoell, J.R. Horn, Werner Hill, Gregory Walsh, Thomas Seaworth, Brian Kuch, Bill Marple, Richard ROCKINGHAM Abrami, Patrick Abramson, Max Allen, Mary Christie, Andrew Bates, David Berrien, Skip Baldasaro, Alfred Barnes, Arthur Chirichiello, Brian Cardon, G. Thomas Cali-Pitts, Jacqueline Bush, Carol DeSimone, Debra Thomas, Douglas Dean-Bailey, Yvonne Cook, Allen Emerick, J. Tracy Elliott, Robert Devine, James Duarte, Joe Friel, William Gannon, William Ferrante, Beverly Rice, Frederick Guthrie, Joseph Harris, Jeffrey Hodgdon, Bruce Green, Dennis Kappler, Lawrence Ward, Joanne Hoelzel, Kathleen Itse. Daniel Matthews, Carolyn Kolodziej, Walter Griffin, Mary Manning, John McMahon, Charles Nigrello, Robert O'Connor, John McKinney, Betsy Prudhomme-O'Brien, Katherine Potucek, John Oligny, Jeffrey Packard, Sherman Spillane, James Svtek, John Schroadter, Adam Gordon, Richard Webb, James Welch, David True, Chris Vose, Michael Weyler, Kenneth Woitkun, Steven STRAFFORD Cilley, Jacalyn Beaudoin, Steven Bixby, Peter Cheney, Catherine Graham, Robert Gray, James DeLemus, Susan Gardner, Janice Groen, Warren Jones, Laura Kaczynski, Thomas Hannon, Joseph Mullen, John Pitre, Joseph Knowles, Robert Turcotte, Leonard Wuelper, Kurt Whitehouse, Joshua SULLIVAN Smith, Steven Laware, Thomas Rollins, Skip Grenier, James **NAYS - 112** CARROLL Ticehurst, Susan Buco, Thomas Butler, Edward CHESHIRE Berch, Paul Abbott, Michael Ames, Richard Tilton, Benjamin Robertson, Timothy McConnell, James Parkhurst, Henry Eaton, Daniel Tatro, Bruce Weber, Lucy Shepardson, Marjorie COOS Moynihan, Wayne Theberge, Robert Froburg, Alethea Hatch, William Thomas, Yvonne **GRAFTON** Almy, Susan Ford, Susan Higgins, Patricia Abel. Richard Piper, Wendy Smith, Suzanne Hennessey, Martha Maes, Kevin Townsend, Charles Sykes, George HILLSBOROUGH Cornell, Patricia Backus, Robert Baroody, Benjamin Roberts, Carol Danielson, David Estevez, Eric Freitas, Mary Cote, David Goley, Jeffrey Gonzalez, Carlos Gorman, Mary Gidge, Kenneth Heath, Mary Jack, Martin Hansberry, Daniel Harvey, Suzanne Mangipudi, Latha Jeudy, Jean Leishman, Peter O'Brien, Michael McNamara, Richard Long, Patrick Porter, Marjorie Manley, Jonathan Williams, Kermit Rosenwald, Cindy Smith, Timothy Vann, Ivy

Woodbury, David

MERRIMACK

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Rice, Chip
Carson, Clyde	Doherty, David	Henle, Paul	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Ratzki, Mario	Rogers, Katherine
Saunderson George	Shurtleff Stenhon	Wallner Many Jane	

ROCKINGHAM

Azarian, Gary	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Edgar, Michael	Fesh, Robert	Francese, Paula
Ward, Gerald	Heffron, Frank	Major, Norman	McBeath, Rebecca
Milz, David	Gordon, Pamela	Pantelakos, Laura	Sherman, Thomas

STRAFFORD

Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Verschueren, James	Wall, Janet

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	0.
and the veto was s	ustained lacking the neces	ssarv two-thirds vote.	

SENATE MESSAGES CONCURRENCE

HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor.

HOUSE DECLARATION

Let it be known that the New Hampshire House of Representatives, on this very special occasion, publicly does grant its hearty and sincere congratulations to Garry Rayno in recognition of his many years of journalistic excellence in covering the NH State House.

Whereas, Garry Rayno has provided the people of New Hampshire with a fair and accurate accounting of the business of the New Hampshire legislature; and

Whereas, he has covered Granite State politics as a reporter for the Argus Champion, Foster's Democrat and, most recently as the Senior State House correspondent for the Manchester Union Leader; and

Whereas, Garry Rayno is widely respected throughout New England for his coverage of both state and federal politics; and

Whereas, Garry Rayno has been a valuable State House presence having covered every New Hampshire governor since John King; and

Whereas, Garry Rayno's skills as a reporter and writer, as well as his ability to build trust with all legislators will be sorely missed in the State House pressroom; so be it

Declared, that the New Hampshire House of Representatives, by virtue of the Speaker's signature inscribed below, extends its highest accolades and plaudits to Garry Rayno for his outstanding coverage of the State House and New Hampshire politics, and offers its very best wishes for a happy, healthy, and well-deserved retirement.

Offered on behalf of the New Hampshire House of Representatives on this 16th Day of June, 2016. Shawn N Jasper, Speaker of the House

GOVERNOR'S VETO MESSAGE ON HB 582-FN

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 27, 2016, I have vetoed House Bill 582, repealing the license requirement for carrying a concealed pistol or revolver. "As I said when I vetoed nearly identical legislation last year, New Hampshire's current concealed carry permitting law has worked well for nearly a century – safe-guarding the Second Amendment rights of our citizens while helping to keep the Granite State one of the safest states in the nation. It is a permitting system that gives an important oversight role to

local law enforcement while ensuring that an appeal process is in place if a permit is denied, a law that Republican Governor Mel Thomson said was 'a sensible handgun law.' Not only has the current law worked well, I also continue to share the public safety concerns of law enforcement and citizens across New Hampshire about removing the protections that the licensing process offers. "I also continue to support the Second Amendment and the right of Americans to responsibly own guns for personal safety, hunting, and recreation, but as the late Justice Antonin Scalia reaffirmed in the 2008 Supreme Court case of District of Columbia v. Heller, states also have the ability to responsibly and appropriately regulate the concealed carry of firearms. "Nothing has changed since last year's attempt to repeal the license requirement for carrying a concealed firearm – our current law continues to work well, public safety officials have the same concerns and the elimination of this responsible, common-sense law would still compromise the safety of our citizens. Therefore, I have vetoed House Bill 582."

Respectfully submitted, Margaret Wood Hassan, Governor

Pierce, David

The question being, notwithstanding the Governor's veto, shall **HB 582-FN**, repealing the license requirement for carrying a concealed pistol or revolver, become law? Rep. DiSesa spoke against.

(Rep. Packard in the Chair)

Rep. Hoell spoke in favor.

Ohm, Bill

(Speaker Jasper in the Chair)

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 150 - NAYS 117

YEAS - 150
BELKNAP

Aldrich, Glen Hurt, George	Dumais, Russell Fraser, Valerie	Tilton, Franklin Vadney, Herbert	Gallagher, Brian
		CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark Umberger, Karen	Nelson, Bill	Parker, Harold	Schmidt, Stephen
	(CHESHIRE	
Hunt, John	McConnell, James		
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
		GRAFTON	
Bailey, Brad Hull, Robert	Brown, Duane Ladd, Rick	Darrow, Stephen	Gionet, Edmond
	HIL	LSBOROUGH	
Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Danielson, David	Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth
Smith, Gregory	Goley, Jeffrey	Gonzalez, Carlos	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hopper, Gary	Belanger, James	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Marston, Dick	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine

Peterson, Ken

Pellegrino, Anthony

1220	House Jour	RNAL JUNE 16, 2016	
Sanborn, Laurie Souza, Kathleen Wolf, Terry	Scontsas, Lisa Twombly, Timothy Zaricki, Nick	Shaw, Barbara Ulery, Jordan	Simmons, Tammy Sullivan, Victoria
	MI	ERRIMACK	
Brewster, Michael Hoell, J.R. Marple, Richard	French, Harold Horn, Werner Walsh, Thornas	Hess, David Kotowski, Frank	Hill, Gregory Kuch, Bill
	RO	CKINGHAM	
Christie, Andrew Baldasaro, Alfred Chirichiello, Brian DeSimone, Debra Ferrante, Beverly Green, Dennis Hoelzel, Kathleen Kolodziej, Walter McMahon, Charles Oligny, Jeffrey Schroadter, Adam Vose, Michael Woitkun, Steven Beaudoin, Steven Gray, James	Abrami, Patrick Bates, David Cook, Allen Devine, James Fesh, Robert Guthrie, Joseph Itse, Daniel Major, Norman Milz, David Packard, Sherman Spillane, James Webb, James ST Cheney, Catherine Groen, Warren	Abramson, Max Bush, Carol Thomas, Douglas Duarte, Joe Friel, William Harris, Jeffrey Ward, Joanne Manning, John Nigrello, Robert Potucek, John Sytek, John Welch, David **RAFFORD DeLemus, Susan Hannon, Joseph	Allen, Mary Cardon, G. Thomas Dean-Bailey, Yvonne Emerick, J. Tracy Gannon, William Hodgdon, Bruce Kappler, Lawrence Matthews, Carolyn O'Connor, John Gordon, Richard True, Chris Weyler, Kenneth Graham, Robert Jones, Laura
Kaczynski, Thomas Pitre, Joseph	Knowles, Robert Wuelper, Kurt	Turcotte, Leonard	Mullen, John
Converse, Larry	Laware, Thomas	Rollins, Skip	Smith, Steven
,,	·	AYS - 117	oman, otovon
		ELKNAP	
Fields, Dennis	L	ELKNAF	
•		ARROLL	
Buco, Thomas	Butler, Edward	Ticehurst, Susan	
	•	·	
Abbott, Michael Bordenet, John Parkhurst, Henry Weber, Lucy	Ames, Richard Eaton, Daniel Robertson, Timothy	HESHIRE Tilton, Benjamin Johnsen, Gladys Shepardson, Marjorie	Berch, Paul Mann, John Tatro, Bruce
		COOS	
Fothergill, John Thomas, Yvonne	Froburg, Alethea	Hatch, William	Moynihan, Wayne
	G	RAFTON	
Abel, Richard Hennessey, Martha Sykes, George	Almy, Susan Maes, Kevin Townsend, Charles	Ford, Susan Piper, Wendy	Higgins, Patricia Smith, Suzanne

Backus, Robert Baroody, Benjamin Roberts, Carol Cohen, Alan Cornell, Patricia Cote, David DiSilvestro, Linda Forest, Armand Freitas, Mary Harvey, Suzanne O'Brien, Michael Long, Patrick Smith, Timothy Woodbury, David Gidge, Kenneth Heath, Mary Mangipudi, Latha Porter, Marjorie Takesian, Charlene

Gorman, Mary Jack, Martin Manley, Jonathan Rosenwald, Cindy Vann, Ivy Guerette, C. Lee Jeudy, Jean McNamara, Richard Snow, Kendall Williams, Kermit

MERRIMACK

Turcotte, Alan Rice, Chip Hirsch, Geoffrey Luneau, David Rogers, Katherine Alicea, Caroletta Carson, Clyde Frazer, June MacKay, James Saunderson, George

French, Barbara Doherty, David Karrick, David Moffett, Howard Shurtleff, Stephen Bartlett, Christy Henle, Paul Kenison, Linda Ratzki, Mario Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary Cahill, Michael Edgar, Michael Heffron, Frank Pantelakos, Laura Bames, Arthur Cali-Pitts, Jacqueline Elliott, Robert Griffin, Mary Sherman, Thomas Berrien, Skip Cushing, Robert Francese, Paula McBeath, Rebecca

Borden, David DiFranco, Debbie Ward, Gerald Gordon, Pamela

STRAFFORD

Baber, William Ward, Kenneth Spang, Judith Burton, Wayne Kaen, Naida Treleaven, Susan DiSesa, Len Smith, Marjorie Verschueren, James Horrigan, Timothy Schmidt, Peter Wall, Janet

SULLIVAN

Cloutier, John

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

O'Hearne, Andrew Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 1208-FN

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 6, 2016, I have vetoed House Bill 1208, relative to administration of the tobacco tax. "This bill makes technical changes to the tobacco tax laws, as administered by the Department of Revenue, including changing and adding certain definitions and removing references to metering machines. It also clarifies activities that constitute unauthorized sales of tobacco products and makes records of tobacco stamps sold and tobacco products distributed required taxpayer records. "The primary purpose of this bill was to make technical changes at the request of the Department of Revenue Administration, changes that are important for the Department's administration of tax law. But the negatives of one provision outweigh the benefits of these technical changes. House Bill 1208 would also expand the definition of 'premium cigar' to include those that wholesale for less than two dollars, thereby exempting low-priced cigars from State tobacco taxes. As a matter of public health and fairness, I have proposed requiring parity for tobacco products during the last two budget cycles, but this bill would move in the opposite direction by expanding the exemption for premium cigars. Because cutting tobacco taxes is detrimental to public health, the American Cancer Society Cancer Action Network opposes measures such as this. "While this bill makes important clarifying changes to tobacco tax laws for the Department of Revenue Administration, those changes are outweighed by its negative health and fiscal impacts. In the interest of public health and fiscal responsibility for the State's budget, I have vetoed House Bill 1208."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1208-FN**, relative to administration of the tobacco tax, become law?

Rep. Ames spoke against.

Rep. Abrami spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 145 - NAVS 108

YEAS - 145 BELKNAP

Aldrich, Glen Tilton, Franklin Fields, Dennis Gallagher, Brian Hurt, George Vadney, Herbert CARROLL

Avellani, Lino Chandler, Gene Comeau, Ed Cordelli, Glenn McConkey, Mark Nelson, Bill Parker, Harold Schmidt, Stephen Umberger, Karen

CHESHIRE Hunt, John McConnell, James

COOS

Richardson, Herbert Rideout, Leon Tholl, John

GRAFTON Bailey, Brad Darrow, Stephen Gionet, Edmond Hull, Robert

Ladd, Rick HILLSBOROUGH

Ammon, Keith Griffin, Barbara Balcom, John Barry, Richard Biggie, Barbara Boehm, Ralph Burt, John Byron, Frank Christensen, Chris Danielson, David Eastman, Eric Edelblut, Frank Ferreira, Elizabeth Smith, Gregory Gargasz, Carolyn Gould, Linda Goulette, William Haefner, Robert Halstead, Carolyn Hinch, Richard Hogan, Edith Hopper, Gary Belanger, James Kurk, Neal Lachance, Joseph LeBrun, Donald Leishman, Peter Marston, Dick McLean, Mark Moore, Josh Murotake, David Murphy, Keith Notter, Jeanine Ohm, Bill Pellegrino, Anthony Peterson, Ken Pierce, David Sanborn, Laurie Simmons, Tammy Souza, Kathleen Takesian, Charlene Twombly, Timothy Ulery, Jordan Sullivan, Victoria

Zaricki, Nick MERRIMACK

Brewster, Michael Hess. David Hill, Gregory Hoell, J.R. Horn, Werner Karrick, David Kotowski, Frank Kuch, Bill

Walsh, Thomas ROCKINGHAM

Webb, James

Marple, Richard

Vose, Michael

Christie, Andrew Abrami, Patrick Abramson, Max Allen, Mary Azarian, Gary Baldasaro, Alfred Bates, David Bush, Carol Cardon, G. Thomas Chirichiello, Brian Cook, Allen Thomas, Douglas Dean-Bailey, Yvonne DeSimone, Debra Elliott, Robert Emerick, J. Tracv Ferrante, Beverly Fesh, Robert Friel, William Gannon, William Harris, Jeffrey Guthrie, Joseph Hodgdon, Bruce Hoelzel, Kathleen Itse. Daniel Ward, Joanne Kappler, Lawrence Kolodziej, Walter Griffin, Mary Major, Norman Manning, John Matthews, Carolyn McMahon, Charles Milz. David Nigrello, Robert O'Connor, John Oligny, Jeffrey Packard, Sherman Potucek, John Gordon, Richard Schroadter, Adam Spillane, James Sytek, John True, Chris

STRAFFORD

Welch, David

Weyler, Kenneth

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Graham, Robert Gray, James Groen, Warren Hannon, Joseph Jones, Laura Kaczynski, Thomas Knowles, Robert Turcotte, Leonard Mullen, John Pitre, Joseph Wuelper, Kurt

SULLIVAN

Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 108

Buco. Thomas Butler, Edward Ticehurst, Susan

CHECHIE

CHESHIRE

Abbott, Michael Ames, Richard Tilton, Benjamin Berch, Paul Bordenet, John Eaton, Daniel Johnsen, Gladys Mann, John

Parkhurst, Henry Shepardson, Marjorie Tatro, Bruce

COOS

Froburg, Alethea Moynihan, Wayne Thomas, Yvonne

GRAFTON

Abel, Richard Ford, Susan Higgins, Patricia Hennessey, Martha Maes, Kevin Piper, Wendy Smith, Suzanne Sykes, George Townsend. Charles

HILLSBOROUGH

Cohen, Alan Roberts, Carol Backus, Robert Baroody, Benjamin Edwards, Elizabeth DiSilvestro, Linda Cornell. Patricia Cote, David Gidge, Kenneth Goley, Jeffrey Forest, Armand Freitas, Mary Harvey, Suzanne Heath, Mary Gonzalez, Carlos Gorman, Mary O'Brien, Michael Mangipudi, Latha Jeudy, Jean Jack, Martin Long, Patrick Porter, Marjorie McNamara, Richard Manley, Jonathan Smith, Timothy Rosenwald, Cindy Shaw, Barbara Snow, Kendall

Vann, Ivy Williams, Kermit Woodbury, David

MERRIMACK

French, Barbara Bartlett, Christy Turcotte, Alan Alicea, Caroletta Rice, Chip Doherty, David Henle, Paul Carson, Clyde Kenison, Linda Luneau, David Hirsch, Geoffrey Frazer, June Saunderson, George Ratzki, Mario Rogers, Katherine MacKay, James Shurtleff, Stephen Wallner, Mary Jane

DOCKINGHAN

ROCKINGHAM

Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Edgar, Michael Ward, Gerald Heffron, Frank McBeath, Rebecca Gordon, Pamela

Pantelakos, Laura Sherman, Thomas

STRAFFORD

 Baber, William
 Burton, Wayne
 DiSesa, Len
 Horrigan, Timothy

 Ward, Kenneth
 Kaen, Naida
 Smith, Marjorie
 Schmidt, Peter

 Spang, Judith
 Treleaven, Susan
 Verschueren, James
 Wall, Janet

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne

Irwin, Virginia O'Heame, Andrew Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 1266

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 31, 2016, I have vetoed House Bill 1266, relative to legalizing firecrackers. "Ensuring the health and safety of citizens is the first responsibility of state government. In New Hampshire we

have a long tradition of a balanced regulatory approach when it comes to our fireworks industry, an approach that focuses on minimizing risk to public safety and protecting all citizens' quality of life. Our current approach prohibits the sale and use of firecrackers, and none of the proponents of this bill made a compelling argument for changing current law. House Bill 1266 repeals the prohibition on the sale and use of firecrackers in the State of New Hampshire, and in doing so, threatens our tradition of carefully balancing public safety with public access to this industry. "The New Hampshire Association of Fire Chiefs and the New Hampshire Fire Marshal's Office oppose House Bill 1266, and I share their public safety concerns. According to estimates by the U.S. Consumer Product Safety Commission, firecrackers have previously accounted for up to 20 percent of all fireworks-related injuries nationwide. Additionally, because of their small size, firecrackers can also be used to create panic in a crowd, potentially resulting in disastrous consequences. "It is unnecessary to change current law — which already provides public access to fireworks while aiming to minimize public safety risks — by repealing a prohibition on some of the most dangerous types of fireworks. Because of the threat it poses to public safety, high risk of injury and the potential disruption to other citizens, I have vetoed House Bill 1266."

Respectfully submitted, Margaret Wood Hassan, Governor

Fraser, Valerie

The question being, notwithstanding the Governor's veto, shall **HB 1266**, legalizing firecrackers, become law?

Rep. Hirsch spoke against.

Aldrich, Glen

Rep. Abramson spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 132 - NAYS 119

YEAS - 132 BELKNAP

Fields. Dennis

Vadney, Herbert	Thom, Tanan	riotae, Deritte	raser, valerie
		CARROLL	
Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Umberger, Karen
	(CHESHIRE	
Eaton, Daniel	Hunt, John	McConnell, James	
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
		GRAFTON	
Bailey, Brad Ladd, Rick	Darrow, Stephen	Gionet, Edmond	Hull, Robert

Tilton, Franklin

HILLSBOROUGH

	HILI	SBOROUGH	
Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Smith, Gregory	Gargasz, Carolyn	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hinch, Richard
Hogan, Edith	Hopper, Gary	Belanger, James	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Pellegrino, Anthony	Peterson, Ken	Sanborn, Laurie
Simmons, Tammy	Souza, Kathleen	Twombly, Timothy	Ulery, Jordan
Sullivan, Victoria	Zaricki Nick	•	•

MERRIMACK Hoell, J.R. Hess. David Hill, Gregory Brewster, Michael Kuch, Bill Marple, Richard Kotowski, Frank Horn, Werner Walsh, Thomas ROCKINGHAM Allen, Mary Abrami, Patrick Abramson, Max Christie, Andrew Cardon, G. Thomas Cook, Allen Bates, David Bush, Carol Devine, James Dean-Bailey, Yvonne DeSimone, Debra Thomas, Douglas Gannon, William Emerick, J. Tracy Ferrante, Beverly Elliott, Robert Hoelzel, Kathleen Harris, Jeffrey Hodgdon, Bruce Guthrie, Joseph Kolodziei, Walter Kappler, Lawrence Ward, Joanne Itse. Daniel McMahon, Charles Matthews, Carolyn Manning, John Griffin, Mary Packard, Sherman Oligny, Jeffrey Nigrello, Robert O'Connor, John Schroadter, Adam Spillane, James Potucek, John Gordon, Richard Welch, David True, Chris Vose, Michael Sytek, John Weyler, Kenneth STRAFFORD Graham, Robert DeLemus, Susan Cheney, Catherine Beaudoin, Steven Hannon, Joseph Jones, Laura Groen, Warren Gray, James Pitre, Joseph Kaczynski, Thomas Turcotte, Leonard Mullen, John Wuelper, Kurt SULLIVAN Smith, Steven Rollins, Skip Laware, Thomas NAYS - 119 BELKNAP Gallagher, Brian CARROLL Ticehurst, Susan Nelson, Bill Butler, Edward Buco, Thomas CHESHIRE Berch, Paul Tilton, Benjamin Ames, Richard Abbott, Michael Parkhurst, Henry Johnsen, Gladys Mann, John Bordenet, John Tatro, Bruce Robertson, Timothy Shepardson, Marjorie Phillips, Larry COOS Thomas, Yvonne Moynihan, Wayne Froburg, Alethea GRAFTON Ford, Susan Higgins, Patricia Almy, Susan Abel, Richard Maes, Kevin Piper, Wendy Smith, Suzanne Hennessey, Martha Sykes, George Townsend, Charles HILLSBOROUGH Roberts, Carol Cohen, Alan Baroody, Benjamin Backus, Robert DiSilvestro, Linda Cote, David Danielson, David Cornell. Patricia Freitas, Mary Gidge, Kenneth Golev, Jeffrey Forest, Armand Guerette, C. Lee Heath, Mary Gonzalez, Carlos Gorman, Mary O'Brien, Michael Leishman, Peter Jack, Martin Jeudy, Jean McNamara, Richard Pierce, David Manley, Jonathan Mangipudi, Latha Snow, Kendall Shaw, Barbara Porter, Marjorie Rosenwald, Cindy

Vann, Ivy

Takesian, Charlene

Smith, Timothy Woodbury, David Williams, Kermit

MERRIMACK

Turcotte, Alan Alicea, Caroletta French, Barbara Bartlett, Christy Rice, Chip Carson, Clyde Doherty, David Henle, Paul Hirsch, Geoffrey Frazer, June Karrick, David Kenison, Linda Luneau, David MacKay, James Ratzki, Mario Rogers, Katherine Saunderson, George Shurtleff, Stephen Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary Barnes, Arthur Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Edgar, Michael Fesh, Robert Ward, Gerald Heffron, Frank Major, Norman McBeath, Rebecca Milz. David Gordon, Pamela Pantelakos, Laura Sherman, Thomas

STRAFFORD

 Baber, William
 Burton, Wayne
 DiSesa, Len
 Horrigan, Timothy

 Ward, Kenneth
 Kaen, Naida
 Knowles, Robert
 Smith, Marjorie

 Schmidt, Peter
 Spang, Judith
 Treleaven, Susan
 Verschueren, James

 Wall, Janet
 Verschueren, James

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Irwin, Virginia O'Hearne, Andrew Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

PRIVILEGE OF THE HOUSE

Rep. Groen arose for a privilege of the House.

The Speaker asked the member to suspend until the vetoes concluded.

GOVERNOR'S VETO MESSAGE ON HB 1637-FN

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 9, 2016, I have vetoed House Bill 1637, relative to school attendance in towns with no public schools. "House Bill 1637 diverts taxpayer money to private and religious schools with no accountability or oversight, a clear violation of the New Hampshire Constitution, which states, '... no money raised by taxation shall ever be granted or applied for the use of the schools of institutions of any religious sect or denomination.' Not only is the bill unconstitutional, it also has no mechanism to ensure a student's constitutional right to the opportunity to receive an adequate education and would undermine the state's efforts to ensure a strong and robust public education system for all New Hampshire students. "Under current New Hampshire law, public schools are required to provide the opportunity for an adequate education, as defined by the Legislature, and are held accountable through laws and rules that require monitoring and review by the Department of Education. Additionally, as required by statute and as a result of Supreme Court decisions requiring a statewide education accountability system, New Hampshire schools are required to participate in the Statewide Educational Improvement and Assessment Program. If House Bill 1637 is enacted, public funds would be used to send students to private schools - which are only approved by the Department of Education for attendance and not curriculum, without the same accountability standards as the public schools - violating the requirements of state law and the state Constitution. "In addition, House Bill 1637 interferes with tuition agreements between school districts throughout the state and potentially removes voters from the approval process for those agreements. It allows school districts that do not have public schools for every grade level to assign a student to or enter into a contract with a private school, but this is not necessary, because under current New Hampshire law, school districts that do not have their own public school are able to enter into tuition agreements with other school districts - many of which are multi-year contracts. It is common practice for these tuition agreements to go before the town voters to approve the terms of the contract - a provision not provided for in this proposed law. "The National Education Association, the New Hampshire School Administrators Association and the New Hampshire School Boards Association all opposed this legislation. The National Education Association wrote, 'The bill creates an unlimited and unregulated local voucher

program with enormous opportunities for discrimination and inequality,' and the school administrators wrote, 'This proposed law is substantially flawed and would expose the school districts and their citizens to likely costly litigation.' "House Bill 1637 clearly violates the explicit language of New Hampshire's Constitution. It also would undercut every New Hampshire public school student's constitutional right for the opportunity for an adequate education, with strong accountability from the school. Because it is unconstitutional, undermines our efforts to ensure a strong and robust public education system for all New Hampshire students and interferes with tuition agreements between school districts throughout the state, I have vetoed House Bill 1637."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1637-FN**, relative to school attendance in towns with no public schools, become law?

Rep. Heath spoke against.

Brewster, Michael

Horn, Werner

Ratzki, Mario

Hess. David

Kotowski, Frank

Walsh, Thomas

Rep. Boehm spoke in favor and yielded to questions.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 147 - NAYS 105

YEAS - 147 BELKNAP

	I	BELKNAP	
Aldrich, Glen Fraser, Valerie	Tilton, Franklin Vadney, Herbert	Fields, Dennis	Gallagher, Brian
	(CARROLL	
Avellani, Lino McConkey, Mark Umberger, Karen	Chandler, Gene Nelson, Bill	Comeau, Ed Parker, Harold	Cordelli, Glenn Schmidt, Stephen
	C	HESHIRE	
Tilton, Benjamin	Hunt, John	McConnell, James	
		COOS	
Richardson, Herbert	Rideout, Leon	Tholl, John	
	(GRAFTON	
Bailey, Brad Ladd, Rick	Darrow, Stephen	Gionet, Edmond	Hull, Robert
	HIL	LSBOROUGH	
Ammon, Keith	Griffin, Barbara	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Danielson, David	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Ferreira, Elizabeth	Smith, Gregory	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Haefner, Robert
Halstead, Carolyn	Hinch, Richard	Hogan, Edith	Hopper, Gary
Belanger, James	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Sanborn, Laurie	Shaw, Barbara
Simmons, Tammy	Souza, Kathleen	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Sullivan, Victoria	Zaricki, Nick	
	MI	ERRIMACK	

Hill, Gregory

Kuch, Bill

Hoell, J.R.

Marple, Richard

ROCKINGHAM

Christie, Andrew Abrami, Patrick Azarian, Gary Barnes, Arthur Cardon, G. Thomas Cook, Allen DeSimone, Debra Devine, James Ferrante, Beverly Fesh, Robert Harris, Jeffrey Hodgdon, Bruce Ward, Joanne Kappier, Lawrence Major, Norman Manning, John Milz. David Nigrello, Robert Packard, Sherman Potucek, John Spillane, James Sytek, John Welch, David Weyler, Kenneth

Abramson, Max Bates, David Thomas, Douglas Elliott, Robert Gannon, William Hoelzel, Kathleen Kolodziej, Walter Matthews, Carolyn O'Connor, John Gordon, Richard True, Chris

Allen, Mary Bush, Carol Dean-Bailey, Yvonne Emerick, J. Tracy Guthrie, Joseph Itse, Daniel Griffin, Mary McMahon, Charles Oligny, Jeffrey Schroadter, Adam Vose, Michael

STRAFFORD

Beaudoin, Steven Gray, James Kaczynski, Thomas Pitre, Joseph Cheney, Catherine Groen, Warren Knowles, Robert Wuelper, Kurt DeLemus, Susan Hannon, Joseph Turcotte, Leonard

Graham, Robert Jones, Laura Mullen, John

SULLIVAN

Gagnon, Raymond

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 105 CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael Eaton, Daniel Phillips, Larry Ames, Richard Johnsen, Gladys Robertson, Timothy Berch, Paul Mann, John Shepardson, Marjorie Bordenet, John Parkhurst, Henry Tatro, Bruce

COOS

Froburg, Alethea

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard Hennessey, Martha Sykes, George Almy, Susan Maes, Kevin Townsend, Charles Ford, Susan Piper, Wendy Higgins, Patricia Smith, Suzanne

HILLSBOROUGH

Backus, Robert Cornell, Patricia Freitas, Mary Harvey, Suzanne Leishman, Peter McNamara, Richard Snow, Kendall Woodbury, David

Baroody, Benjamin Cote, David Goley, Jeffrey Heath, Mary O'Brien, Michael Long, Patrick Smith, Timothy Roberts, Carol DiSilvestro, Linda Gorman, Mary Jack, Martin Mangipudi, Latha Porter, Marjorie Vann, Ivy Cohen, Alan Forest, Armand Guerette, C. Lee Jeudy, Jean Manley, Jonathan Rosenwald, Cindy Williams, Kermit

MERRIMACK

Turcotte, Alan Rice, Chip Hirsch, Geoffrey Luneau, David Shurtleff, Stephen Alicea, Caroletta Carson, Clyde Frazer, June MacKay, James Wallner, Mary Jane French, Barbara Doherty, David Karrick, David Rogers, Katherine Bartlett, Christy Henle, Paul Kenison, Linda Saunderson, George

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline Cushing, Robert DiFranco, Debbie Edgar, Michael Ward, Gerald Heffron, Frank McBeath, Rebecca Gordon, Pamela Pantelakos, Laura Sherman, Thomas

STRAFFORD

Baber, WilliamBurton, WayneDiSesa, LenHorrigan, TimothyWard, KennethKaen, NaidaSmith, MarjorieSchmidt, PeterSpang, JudithTreleaven, SusanVerschueren, JamesWall, Janet

SULLIVAN

Cloutier, John Converse, Larry Irwin, Virginia O'Hearne, Andrew

Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

CLERK'S NOTE

When less than two-thirds of the elected membership is present, Part II, Article 20 of the state constitution requires the assent of two-thirds of those present and voting to render their acts and proceedings valid.

MOTION TO AMEND HOUSE JOURNAL

Rep. Groen moved that the House Journal of February 4, 2016 be amended to reflect the exact words of the prayer given by Guest Chaplain, Dr. Peter Chamberland, Pastor of Granite State Baptist Church in Concord.

(Rep. Packard in the Chair)

Rep. Groen spoke in favor and yielded to questions. Speaker Jasper addressed the House and yielded to questions. Clerk Smith addressed the House.

(Speaker Jasper in the Chair)

Reps. Bates and Cali-Pitts spoke in favor.

Rep. Kurk spoke against and yielded to questions.

Rep. Eaton moved the Previous Question. Motion adopted and debate was limited.

The question being adoption of the motion to amend the House Journal.

Rep. Bates requested a roll call; sufficiently seconded.

YEAS 118 - NAYS 103

YEAS - 118 BELKNAP

Tilton, Franklin Gallagher, Brian Fraser, Valerie Vadney, Herbert

CARROLL

Avellani, Lino Buco, Thomas Comeau, Ed Cordelli, Glenn

McConkey, Mark Nelson, Bill Ticehurst, Susan

CHESHIRE

McConnell, James Robertson, Timothy Shepardson, Marjorie

COOS

Richardson, Herbert Rideout, Leon

GRAFTON

Bailey, Brad Darrow, Stephen Hull, Robert Ladd, Rick

Ammon, Keith
Byron, Frank
Christensen, Chris

Balcom, John Christensen, Chris Roberts, Carol Eastman, Eric Edelblut, Frank Gonzalez, Carlos Gorman, Mary Harvey, Suzanne Hogan, Edith Manley, Jonathan Murotake, David Murphy, Keith Long, Patrick Pellegrino, Anthony Simmons, Tammy Souza, Kathleen Ulery, Jordan Sullivan, Victoria

Burt, John Cornell, Patricia Edwards, Elizabeth Gould, Linda Hopper, Gary McLean, Mark Notter, Jeanine Sanborn, Laurie Smith, Timothy Woodbury, David

MERRIMACK

Brewster, Michael Hoell, J.R. Saunderson, George Carson, Clyde Horn, Werner Henle, Paul Marple, Richard

Hill, Gregory Ratzki, Mario

ROCKINGHAM

Christie, Andrew Berrien, Skip Thomas, Douglas Gannon, William Itse, Daniel Manning, John Gordon, Richard True. Chris Abrami, Patrick Bush, Carol Dean-Bailey, Yvonne Guthrie, Joseph Ward, Joanne O'Connor, John Schroadter, Adam Vose, Michael Abramson, Max Cali-Pitts, Jacqueline Elliott, Robert Harris, Jeffrey Kappler, Lawrence Oligny, Jeffrey Spillane, James Weyler, Kenneth

Bates, David Cook, Allen Ward, Gerald Hodgdon, Bruce Kolodziej, Walter Packard, Sherman Sytek, John

STRAFFORD

DeLemus, Susan Hannon, Joseph Turcotte, Leonard Graham, Robert Jones, Laura Mullen, John Gray, James Kaczynski, Thomas Pitre, Joseph Groen, Warren Knowles, Robert Wuelper, Kurt

SULLIVAN

Cloutier, John Smith, Steven Gagnon, Raymond

Irwin, Virginia

Laware, Thomas

NAYS - 103 BELKNAP

Fields, Dennis

CARROLL

Schmidt, Stephen

Abbott, Michael

Bordenet, John

Phillips, Larry

Umberger, Karen

CHESHIRE

Ames, Richard Eaton, Daniel Tilton, Benjamin Hunt, John

Berch, Paul Parkhurst, Henry

COOS

Froburg, Alethea

Moynihan, Wayne

Tholl, John

Thomas, Yvonne

GRAFTON

Abel, Richard Hennessey, Martha Sykes, George Almy, Susan Maes, Kevin Townsend, Charles Ford, Susan Piper, Wendy

Higgins, Patricia Smith, Suzanne

Barry, Richard	Biggie, Barbara	Cohen, Alan	Cote, David
Freitas, Mary	Smith, Gregory	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Guerette, C. Lee	Haefner, Robert	Heath, Mary
Hinch, Richard	Belanger, James	Kurk, Neal	Leishman, Peter
O'Brien, Michael	Mangipudi, Latha	Marston, Dick	McNamara, Richard
Pierce, David	Porter, Marjorie	Rosenwald, Cindy	Snow, Kendall
Takesian, Charlene	Williams, Kermit		

MERRIMACK

Alicea, Caroletta	French, Barbara	Bartlett, Christy	Rice, Chip
Doherty, David	Hess, David	Hirsch, Geoffrey	Frazer, June
Karrick, David	Kenison, Linda	Kotowski, Frank	MacKay, James
Rogers, Katherine	Shurtleff, Stephen	Walsh, Thomas	Wallner, Mary Jane

ROCKINGHAM

Barnes, Arthur	Cahill, Michael	Cardon, G. Thomas	Cushing, Robert
DeSimone, Debra	Devine, James	DiFranco, Debbie	Edgar, Michael
Heffron, Frank	Hoelzel, Kathleen	Griffin, Mary	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	Milz, David	Gordon, Pamela
Pantelakos, Laura	Potucek, John	Sherman, Thomas	Welch, David

STRAFFORD

Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Verschueren, James	Wall, Janet

SULLIVAN

Converse, Larry O'Hearne, Andrew Oxenham, Lee and the motion failed lacking the necessary two-thirds vote.

MOTION TO PRINT DEBATE

Rep. Eastman moved that the debate on the motion to amend the House Journal be printed in the Permanent Journal.

Rep. Eastman spoke in favor.

Rep. Berch spoke against.

Ames Dishard

Rep. Len Turcotte requested a roll call; sufficiently seconded.

YEAS 115 - NAYS 105

YEAS - 115 BELKNAP

Tilton, Franklin	Gallagher, Brian	Fraser, Valerie	Vadney, Herbert
		CARROLL	

		CARROLL	
Avellani, Lino	Buco, Thomas	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Nelson, Bill	Umberger, Karen	

CHESHIRE

things, and the same of the sa	Ames, nicharu	wcconneil, James	Prinips, Larry	Snepardson, Marjone
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COOS

MOVINIAII. WAYNE DICHARDSON, DEIDEN DIGEOUL LEG	Moynihan,	Wavne	Richardson,	Herbert	Rideout, Le
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MaCammall James

GRAFTON

Bailey, Brad Darrow, Stephen	Hull, Robert	Ladd, Rick
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Ammon, Keith Griffin, Barbara Byron, Frank Christensen, Chris Cornell, Patricia Danielson, David Edwards, Elizabeth Ferreira, Elizabeth Gargasz, Carolyn Gonzalez, Carlos Goulette, William Heath, Mary Jeudy, Jean Manley, Jonathan Murotake, David Murphy, Keith Pellegrino, Anthony Sanborn, Laurie Souza, Kathleen Smith, Timothy Sullivan, Victoria Zaricki, Nick

Balcom, John Roberts, Carol Eastman, Eric Freitas, Mary Gorman, Mary Hogan, Edith McLean, Mark Notter, Jeanine Shaw, Barbara Twombly, Timothy

Burt, John Cohen, Alan Edelblut, Frank Smith, Gregory Gould, Linda Hopper, Gary Moore, Josh Long, Patrick Simmons, Tammy Ulery, Jordan

MERRIMACK

Brewster, Michael Horn, Werner Henle, Paul Hill, Gregory

Hoell, J.R.

ROCKINGHAM

Abrami, Patrick Cahill, Michael Thomas, Douglas Gannon, William Kappler, Lawrence Gordon, Pamela Sherman, Thomas Vose, Michael

Abramson, Max Cali-Pitts, Jacqueline Dean-Bailey, Yvonne Harris, Jeffrey Kolodziej, Walter Packard, Sherman Spillane, James Weyler, Kenneth Bates, David Cardon, G. Thomas Edgar, Michael Hodgdon, Bruce McBeath, Rebecca Gordon, Richard Sytek, John Bush, Carol Cook, Allen Elliott, Robert Itse, Daniel Oligny, Jeffrey Schroadter, Adam True, Chris

STRAFFORD

DeLemus, Susan Hannon, Joseph Turcotte, Leonard Wuelper, Kurt Graham, Robert Jones, Laura Mullen, John Gray, James Kaczynski, Thomas Pitre, Joseph Groen, Warren Knowles, Robert Verschueren, James

Gagnon, Raymond

Smith, Steven

NAYS - 105 BELKNAP

SULLIVAN

Fields, Dennis

Cloutier, John

CARROLL

Schmidt, Stephen

Ticehurst, Susan

CHESHIRE

Abbott, Michael Eaton, Daniel Tilton, Benjamin Hunt, John Berch, Paul Parkhurst, Henry Bordenet, John Robertson, Timothy

COOS

Froburg, Alethea

Tholi, John

Thomas, Yvonne

GRAFTON

Abel, Richard Hennessey, Martha Sykes, George Almy, Susan Maes, Kevin Townsend, Charles Ford, Susan Piper, Wendy Higgins, Patricia Smith. Suzanne

HILLSBOROUGH

Barry, Richard Goley, Jeffrey Hinch, Richard Biggie, Barbara Guerette, C. Lee Belanger, James Cote, David Haefner, Robert Jack, Martin

Gidge, Kenneth Harvey, Suzanne Kurk, Neal

Leishman, Peter McNamara, Richard Rosenwald, Cindy	O'Brien, Michael Ohm, Bill Snow, Kendall	Mangipudi, Latha Pierce, David Takesian, Charlene	Marston, Dick Porter, Marjorie Williams, Kermit
Woodbury, David			
	IVII	ERRIMACK	
Alicea, Caroletta	French, Barbara	Bartlett, Christy	Rice, Chip
Carson, Clyde	Doherty, David	Hess, David	Hirsch, Geoffrey
Frazer, June	Karrick, David	Kenison, Linda	Kotowski, Frank
MacKay, James	Marple, Richard	Rogers, Katherine	Saunderson, George
Shurtleff, Stephen	Walsh, Thomas	Wallner, Mary Jane	
	RO	CKINGHAM	
Christie, Andrew	Barnes, Arthur	Berrien, Skip	Cushing, Robert
DeSimone, Debra	Devine, James	DiFranco, Debbie	Ward, Gerald
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Ward, Joanne
Griffin, Mary	Major, Norman	Manning, John	Matthews, Carolyn
Milz, David	O'Connor, John	Pantelakos, Laura	Potucek, John
Welch, David	•		
,	S	ΓRAFFORD	
Baber, William	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Ward, Kenneth	Kaen, Naida	Smith, Marjorie	Schmidt, Peter
Spang, Judith	Treleaven, Susan	Wall, Janet	
	S	GULLIVAN	

Converse, Larry

Irwin, Virginia Oxenham, Lee

and the motion failed lacking the necessary two-thirds vote.

Laware, Thomas

O'Hearne, Andrew

ADJOURN FROM THE EARLY SESSION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time. Motion adopted.

UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding reflections on not returning and addressed the House.

MOTION TO PRINT REMARKS

Rep. Kurk moved that the remarks made by Rep. Hess be printed in the Permanent Journal. Without objection, the Speaker ordered.

REMARKS

Representative Hess: Thank you, Mister Speaker.

Speaker Jasper: Member will suspend. The House will be in order. I don't know how else I can ask you to please exit the hall quietly and be respectful of the member who wishes to be heard? Please. Representative Hess: Thank you, Mister Speaker. Mister Speaker, I share fully in the sentiment of those who wish to exit this chamber as quickly as possible and after a very long session which has accomplished very little. Let me say that first of all as many of you probably know, I have made a decision not to return. With you, a year ago December, I raised my right hand and swore my oath. Unlike all but a handful of you, it was the 13th time I had done that. I have sat in this chamber for 25 years. If that sounds like a long time, let me make it sound longer. I have been a member of this House for a quarter of a century. I've learned a lot of things in those 25 years, which started in 1987. For example, I know how many lightbulbs there are in this chamber. Does anyone else? If you count just the lightbulbs on the walls and on the ceiling, there are 110. But, that is only a fraction because you also have to count the three lightbulbs in the 400 seats reflecting our voting machines. So there are actually 1310 lightbulbs in this chamber. I've thought often about that and wondered if anyone else had. Apparently, you haven't. I also know that there is only one person

who has two of his portraits in this building. Does anyone else know who that is? Governor Nat Head, who happens to be the only Governor ever to have been born, raised and died in Hooksett. I have learned a few other things. First of all, being in the House is a rollercoaster ride. You win a few, you lose a few, etc. but there are some truths I think I would like to share with you and some reflections. First of all, this institution is not a chamber. It is not an inanimate object of mortar and granite and wood and plaster. It's a living, breathing body politic. For it to survive and prosper, it needs to be respected, it needs to be honored, its traditions need to be nurtured and indeed it needs to be loved. If not by us, by whom? And if not now, when? Second thought I want to leave you with is respect. The most important thing that you as a legislator can do in this chamber is to respect all of the other 399 legislators. That is a tradition of the chamber that strongly and most deeply needs to be preserved. Not just for altruistic voters or reasons because it's nice to respect other people, but for purely crass political motives because your biggest enemy in the last bill that you either beat or lost to is going to be your most important ally in the next bill and you don't want that person to be p.o.'d at you because of the way you treated them in the previous debate. Respect is the second thing I want you to keep in mind. The third thing is to preserve, protect and defend. Protect the traditions of the House. Preserve the integrity of the House and more importantly, perhaps, do the same thing for yourself. The most valuable asset you, as a member, have is your credibility, your reputation for honesty and integrity and straight playing. I had a mentor, the best trial lawyer in New Hampshire for over 30 years, Stanley Brown from Bradford, who taught me that no case, in this case no bill, no cause, no principle, no special interest, is worth sacrificing your integrity and your credibility and your reputation. Never do that because once you lose it, it's almost impossible to gain it back. Fourthly, keep your sense of humor. Keep your sense of humor and remember you're not as important as you think you are. In fact, none of us are as good a speaker or as good as legislator or as effective or as important as we think we are. No one is indispensable. We're all going to be replaced. Two thirds of us are going to be replaced by better people than we are so don't pat yourself on the back when you win, don't go home and have an extra drink when you lose. That's a lot of serious stuff, but I have to close with a little bit of humor, which we haven't had too much of today. My first foray into politics in New Hampshire was in the 1963 Presidential Primary when as a college senior I worked for Nelson Rockefeller. Now, that is 53 years ago, two-thirds of my life or more. As I said, I have spent a quarter of a century in this chamber. The entire time, both in the House and in active politics, was as a registered, formal Republican, but now I have decided that it is time to come out of the closet. So I would like to share with you this t-shirt that I got a couple of months ago. It reads, in case you can't read it far enough, "Bernie is my comrade." It celebrates a 100 years of sharing the wealth starting in 1917 and goes back even further to Marx and Engel. So let me just close these remarks by repeating what Edward R. Murrow made so famous in his broadcast in London, "Goodnight and goodbye."

UNANIMOUS CONSENT

Rep. Oxenham requested Unanimous Consent of the House regarding the Orlando shootings and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hirsch moved that the remarks made by Rep. Oxenham be printed in the Permanent Journal. Motion adopted.

REMARKS

Representative Oxenham: Thank you, Mister Speaker. Thank you all. We are the representatives of the people of New Hampshire and we were sent here to act on their behalf, not to provide yet another resolution or 10-seconds of silence in the face of yet another mass shooting and a catastrophic loss of life. The people of this state and across the nation are calling for action. We need common sense, practical reforms that address our national epidemic of gun violence. We need limits on military-grade weaponry in the hands of civilians, limits on the size of automatic ammunition magazines, expanded background checks and an end to the gun show and internet loopholes that threaten public safety. We have not acted in this session. We must do so in the next. Thank you.

UNANIMOUS CONSENT

Rep. Itse requested Unanimous Consent of the House regarding an apology.

UNANIMOUS CONSENT

Rep. Kaen requested Unanimous Consent of the House regarding the passing of a former member.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendment, enrolled bill reports and veto messages from the Governor, at the completion of which the House will stand adjourned to the Call of the Chair.

Motion adopted.

The House recessed at 4:45 p.m.

RECESS

(Rep. Packard in the Chair) ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 458 and 1428.

Rep. Hinch, Sen. Bradley for the Committee

COMMUNICATION

June 23, 2016

Dear Speaker Jasper and House Colleagues:

It is with mixed feelings that I submit my letter of resignation to you for my Rockingham County District 17 seat in the New Hampshire House of Representatives. It has been an honor to serve the great people of Newmarket, Newfields, and New Hampshire for the past biennium, and, on the whole, the past three terms. My wife and I are ever grateful to all who were there for us at the loss of our identical twin sons, Logan & Archer, and to those smiling at this year's session-day visit of their younger sisters, Arabella & Ainsley, as our family evolves. All of our children are extending hugs and high fives in appreciation.

I wish the members and staff a very safe and wonderful summer.

Thank you,

Adam Robert Schroadter NH House of Representatives Rockingham County District 17

RECESS

(Rep. Hinch in the Chair) ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 1000.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGE

The Senate has voted to sustain the Governor's veto on the following Bills:

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council.

SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver.

SB 381, relative to the combustion of the wood component of construction and demolition debris.

SB 403, relative to the sale of gift certificates with expiration dates.

SB 446, relative to requirements of the state building code.

SB 495-FN-A, relative to the definition of a cigar bar.

COMMUNICATION

June 25, 2016 Via Email

Dear Paul,

As previously discussed, my wife and I are moving to Portsmouth and I will, regrettably have to resign my seat, representing Hillsborough 30 - Nashua Ward 3.

It has been a wonderful experience representing my neighbors, the community and the state and I am grateful for the opportunity to serve.

We are moving on June 30 and the resignation will take effect on that date.

Regards,

Alan Cohen

Representative, Hillsborough 30 - Nashua Ward 3

COMMUNICATION

August 4, 2016 The Honorable Shawn Jasper Speaker of the House Room 311 107 North Main Street Concord, NH 03301

Dear Speaker Jasper,

It has been an honor to serve in the New Hampshire House of Representatives for the communities of Dover Ward 5, Ward 6 and of Somersworth Ward 2. I have accepted full-time employment and must submit my resignation effective August 18th.

Serving the people of New Hampshire as a Representative in our esteemed State House has been one of the most rewarding experiences of my life.

Thank you.

Sincerely,

Catherine Cheney

State Representatives

COMMUNICATION

August 20, 2016 Via Email

Dear All,

With regret, I must submit my resignation as state representative for Strafford District 16, Ward 4 Dover effective September 1st, 2016.

It has truly been an honor for me to serve in the New Hampshire House of Representatives, and I am proud to have worked with so many caring and giving representatives on both sides of the aisle. After spending almost 30 years in public service in the state, I will be leaving New Hampshire at the end of August to be closer to my sons and other family members in the New York Metropolitan area. I had originally wanted to wait until my term ended in December, but the timing of the move didn't work out that way.

Thank you, Paul for your expertise, for your deep knowledge base, and for your incredibly remarkable memory – you know all of our names in barely two weeks' time.

Thank you, Mr. Speaker, for your political courage and fortitude in the way you stood up to those members who tried to bully their way into disrupting the business of the House. They did not prevail. And thank you, Steve, for your friendship, guidance and leadership these past two years. One true regret I have is that I will not be part of the 165th General Court.

May the wind always be at your back, and may the road rise up to meet you.

Sincerely,

Len DiSesa

RECESS

OUTSTANDING BILLS

At the time of adjournment from the 2016 session, the following bills were not signed off in Committee of Conference.

HB 602-FN, relative to the use of drones.

HB 668-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.

HB 1182-FN, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program.

HB 1404-FN, relative to certain positions in the insurance department.

HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation.

HB 1695-FN, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports.

SB 301, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers.

SB 402, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

SB 527-FN-A, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly.

At the time of adjournment from the 2016 session, the following bills remained laid on the table in the House:

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence.

HB 475, prohibiting the state from engaging in acts of civil forfeiture.

HB 1112, relative to subdivision of land.

HB 1126, limiting the authority of delegates to Article V conventions.

HB 1134, relative to open access to broadband infrastructure.

HB 1143, relative to showing a ballot.

HB 1243-FN-L, relative to storm water or sewage penalties.

HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation.

HB 1318, relative to sex offender registration.

HB 1359, relative to the tax credit for service-connected disability.

HB 1360-FN, establishing a credit against business profits taxes for media production expenditures in New Hampshire.

HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market.

HB 1546-FN, permitting the audio recording of a public servant performing a public function.

HB 1557-FN, relative to alcohol and drug treatment programs.

HB 1610-FN, legalizing the possession and cultivation of marijuana for personal use.

HB 1614-FN, relative to the criminal penalty for prostitution.

HB 1621-FN-L, relative to sanctuary cities.

HB 1673-FN-L, establishing a cash balance plan within the state retirement system.

HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefore.

HB 1701-FN, relative to specialty care in drop-in or walk-in clinics.

HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans.

SB 219-FN, relative to breastfeeding.

SB 492-FN, relative to expenditures from the energy efficiency fund.

SB 540-FN, relative to the possession, use, or sale of kratom by any person under 18 years of age. SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution.

SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government.

CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

CACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts.

CACR 16, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children.

CACR 17, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting.

CACR 21, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court.

CACR 23, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes.

CACR 27, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures.

At the time of adjournment from the 2016 session, the following House bills remained laid on the table in the Senate:

HB 629-FN, relative to induced termination of pregnancy statistics.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

HB 1156, relative to interference with traffic devices.

HB 1231, relative to school district policy regarding objectionable course material.

HB 1247, relative to poker in private residences.

HB 1252, permitting employers to pay wages to employees weekly or biweekly.

HB 1356, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

HB 1570-FN, repealing the law governing access to reproduction health care facilities.

CHAPTERED AND STATUTORY COMMITTEES STATUTORY STUDY COMMITTEES AMENDED

AQUATIC RESOURCES COMPENSATORY MITIGATION SITE SELECTION COMMITTEE (RSA 482-A:32, II(e)). Membership amended by HB 1332, Chapter 68:1, Laws of 2016.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1). Membership, organization, duties, meetings, and reports amended by SB 533-FN-A-L, Chapter 330, Laws of 2016.

HIGHER EDUCATION COMMISSION (RSA 21-N:8-a, II(a)(9)). Membership amended by SB 314, Chapter 43:1, Laws of 2016.

NEW HAMPSHIRE HEALTH CARE QUALITY ASSURANCE COMMISSION (RSA 276:256). Commission extended and members added by HB 1269, Chapter 167:1 and 167:2, Laws of 2016.

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1, II). Membership amended by HB 1486, Chapter 146:1, Laws of 2016.

POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY COMMISSION (RSA 115:D:2, I(u)). Membership amended by SB 397, Chapter 51:1.

TRAFFIC SAFETY COMMISSION (RSA 21-P:64). Repealed and reenacted by HB 1161, Chapter 164:1, Laws of 2016.

2016 CHAPTERED STUDY COMMITTEES

HB 301 (Chapter 12:1, Laws of 2016): COMMITTEE TO STUDY THE LAYOUT AND DATA ELEMENTS CONTAINED IN THE STATEWIDE LONGITUDINAL DATA SYSTEM AND ANY OTHER DEPARTMENT OF EDUCATION MAINTAINED DATABASE THAT CONTAINS STUDENT LEVEL DATA:

Reps. Glenn Cordelli, Elizabeth Ferreira, and Barbara Shaw, appointed by the Speaker of the House of Representatives.

Sen. Kevin Avard, appointed by the President of the Senate.

HB 378 (Chapter 281:1, Laws of 2016): COMMITTEE TO STUDY RSA 461-A, RELATIVE TO PARENTAL RIGHTS AND RESPONSIBILITIES:

Reps. Stephen Schmidt, Kimberly Rice, Patrick Long, and Carolyn Gargasz, appointed by the Speaker of the House of Representatives.

Sen. Bette Lasky, appointed by the President of the Senate.

HB 427 (Chapter 282:2, Laws of 2016): COMMITTEE TO STUDY THE 2015 EDITION OF THE UNIFORM FIRE CODE NFPA 1:

Reps. Andrew Christie, Peter Hansen, Jeffrey Goley and Steven Beaudoin, members of the Committee on Executive Departments and Administration, appointed by the Speaker of the House of Representatives.

Sen. Sharon Carson, appointed by the President of the Senate.

HB 1105 (Chapter 219:1, Laws of 2016): COMMITTEE TO STUDY THIRD PARTY MORT-GAGE PROCESSORS:

Reps. Barbara Biggie, John Hunt, Harold French, and Kermit Williams, appointed by the Speaker of the House of Representatives.

Sen. Russell Prescott, appointed by the President of the Senate.

HB 1145 (Chapter 15:1, Laws of 2016): COMMITTEE TO STUDY THE INCIDENCE OF SUSPENSIONS AND EXPULSIONS OF CHILDREN IN LICENSED PRESCHOOLS AND IN KINDERGARTEN THROUGH GRADE 3:

Reps. John Balcom and Mel Myler, members of the Committee on Education, and Reps. Rick Ladd, Terry Wolf and Mary Gile, appointed by the Speaker of the House of Representatives.

Sen. David Watters, appointed by the President of the Senate.

HB 1148 (Chapter 163:1, Laws of 2016): COMMITTEE TO REVIEW POTENTIAL STATUTORY REVISIONS TO CONSTRAIN POSSIBLE STRANDED COSTS ASSOCIATED WITH PIPELINE CAPACITY CONTRACTS:

Reps. Michael Vose, Douglas Thomas and Marjorie Shepardson, appointed by the Speaker of the House of Representatives.

Sens. Jeb Bradley and Kevin Avard, appointed by the President of the Senate.

HB 1237 (Chapter 209:1, Laws of 2016): COMMITTEE TO STUDY THE ESTABLISHMENT OF A CONFLICT MANAGEMENT AND RESOLUTION SYSTEM FOR PARENTS AND CHILDREN:

Reps. Debra DeSimone and William Friel, appointed by the Speaker of the House of Representatives.

HB 1307 (Chapter 315:2, Laws of 2016): COMMITTEE TO STUDY THE PROCESS BY WHICH BUSINESS NAMES ARE AUTHORIZED BY THE SECRETARY OF STATE:

Reps. John Hunt, John O'Connor, and Edward Butler, appointed by the Speaker of the House of Representatives.

Sens. Regina Birdsell and Donna Soucy, appointed by the President of the Senate.

HB 1354 (Chapter 210:1, Laws of 2016): COMMITTEE TO STUDY LIVESTOCK AND MEAT INSPECTION:

Reps. Robert Haefner, John O'Connor, and Tara Sad, appointed by the Speaker of the House of Representatives.

Sen. Jeff Woodburn, appointed by the President of the Senate.

HB 1397 (Chapter 28:1, Laws of 2016): COMMITTEE TO STUDY IMPROVEMENTS TO THE HANNAH DUSTON MEMORIAL:

Reps. Mark McConkey, Franklin Tilton, David Milz, and Virginia Irwin, appointed by the Speaker of the House of Representatives.

Sen. Sharon Carson, appointed by the President of the Senate.

SB 341 (Chapter 210:1, Laws of 2016): COMMITTEE TO STUDY GUARDIANSHIP IN NEW HAMPSHIRE:

Sen. Sharon Carson, appointed by the President of the Senate.

Reps. Debra DeSimone, Linda Kenison, Janet wall, and Joseph Guthrie, appointed by the Speaker of the House of Representatives.

SB 364 (Chapter 242:1, Laws of 2016): COMMITTEE TO STUDY, IN CONJUNCTION WITH MUNICIPALITIES AND THE DEPARTMENT OF TRANSPORTATION, THE FEASIBILITY OF A COMPLETE STREETS PROGRAM:

Sens. Regina Birdsell and Dan Feltes, appointed by the President of the Senate.

Reps. Mark McConkey, David Milz, and Patricia Higgins, appointed by the Speaker of the House of Representatives.

SB 370 (Chapter 47:1, Laws of 2016): COMMITTEE TO STUDY REAL TIME THREAT NOTIFICATION SYSTEMS TO LINK SCHOOLS WITH LAW ENFORCEMENT WHEN SCHOOLS ARE UNDER DIRECT THREAT:

Sen. Lou D'Allesandro, appointed by the President of the Senate.

Reps. Richard Barry, Franklin Sterling, and Robert Cushing, appointed by the Speaker of the House of Representatives.

SB 427 (Chapter 101:1, Laws of 2016): COMMITTEE TO STUDY THE USE OF RESTRAINTS WHEN TRANSPORTING A PERSON SUBJECT TO INVOLUNTARY ADMISSION PROCEEDINGS:

Sen. Andrew Hosmer, appointed by the President of the Senate.

Reps. Charles McMahon, Joanne Ward, and Thomas Sherman, appointed by the Speaker of the House of Representatives.

SB 482 (Chapter 271:1, Laws of 2016): COMMITTEE TO STUDY THE EFFECT OF SHORT-TERM RENTALS ON MUNICIPALITIES:

Sens. Regina Birdsell and Martha Fuller Clark, appointed by the President of the Senate.

Reps. James Belanger, Edward Butler, and Bill Ohm, appointed by the Speaker of the House of Representatives.

SB 544 (Chapter 160:1, Laws of 2016): COMMITTEE TO STUDY FUNDING OPTIONS FOR THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE:

Sens. Gary Daniels and Martha Fuller Clark, appointed by the President of the Senate.

Reps. Joseph Hagan, Janet Wall, and Robert Cushing, appointed by the Speaker of the House of Representatives.

2016 STATUTORY STUDY COMMITTEES

RSA 4-F:1, (HB 377, Chapter 73:2, Laws of 2016): NEW HAMPSHIRE GEOGRAPHIC INFORMATION SYSTEM (GIS) COMMITTEE:

Major General William Reddel, III, Adjutant General.

Robert Wolff, designee of the Commissioner of the New Hampshire Department of Agriculture, Markets and Food.

Linda Socha, designee of the Commissioner of the New Hampshire Department of Corrections.

Commissioner of the Department of Cultural resources, or designee.

Scott Mantie, designee of the Commissioner of the Department of Education.

Kenneth Gallagher, designee of the Director of the Office of Energy and Planning.

Clark Friese, designee of the Commissioner of the Department of Environmental Services.

Katie Callahan, designee of the Commissioner of Fish and Game and Marine Resources.

Donna O'Leary, designee of the Commissioner of Health and Human Services.

Denis Goulet, Commissioner of Department of Information Technology.

Commissioner of the Department of Resources and Economic Development, or designee.

Stephan Hamilton, designee of the Commissioner of the Department of Revenue Administration.

Richard Bailey, Commissioner of the Department of Safety.

Commissioner of the Department of Transportation, or designee.

Fay Rubin, Director of New Hampshire Geographically Referenced Analysis and Information Transfer system.

Angelo Marino, appointed by the New Hampshire Municipal Association.

Sara Siskavich, appointed by the New Hampshire Association of Regional Planning Commissions.

Bob Snelling, appointed by the New Hampshire Association of Regional Planning Commissions. John Petro, Adjutant General (alternate).

RSA 21-I:14-d (SB 332, Chapter 55:4, Laws of 2016): ADVISORY COMMITTEE ON STATE PROCUREMENT:

Sens. Sharon Carson, appointed by the President of the Senate.

Reps. John Sytek, Peter Hansen, Raymond Gagnon, and David Danielson, appointed by the Speaker of the House of Representatives.

RSA 21-P:64 (HB 1161, Chapter 164:1, Laws of 2016): TRAFFIC SAFETY COMMISSION:

Pat Sullivan, New Hampshire Association of Chiefs of Police.

One representative of the New Hampshire Sheriffs Association.

One county attorney representing the New Hampshire Association of Counties.

Judy Silva, New Hampshire Municipal Association.

Peter McNamara, New Hampshire Automobile Dealers Association.

Vera Tucker, New Hampshire Motor Transport Association.

One representative of the New Hampshire School Transportation Association.

One representative of the American Automobile Association of Northern New England.

One representative of the New Hampshire Driver Education Teachers Association.

One representative of the New Hampshire Association of Fire Chiefs.

Terry Johnson, New Hampshire Hospital Association.

William Fisk, Granite State Wheelmen.

Gary Abbott, Associated General Contractors of New Hampshire.

Commissioner of the Department of Safety, or designee.

Matthew Shapiro, designee of the Director of the Division of State Police of New Hampshire Department of Safety, Chairman.

Director of the Division of Motor Vehicles of New Hampshire Department of Safety, or designee.

Attorney General or designee.

JoAnne E. Miles Holmes, designee of the Commissioner of the Department of Health and Human Services.

Commissioner of the Department of Transportation, or designee.

Michael Milligan, designee of the Chairman of the Liquor Commission.

Amy Clark, designee of the Commissioner of the Department of Education.

Member of the judiciary, appointed by the Chief Justice of the New Hampshire Supreme Court.

Patricia Rainboth, victim advocate appointed by the Governor.

Howard Hedegard, public member appointed by the Governor.

James Milliken, public member appointed by the Governor.

Tim Blagden, public member appointed by the Governor.

RSA 72:29 (SB 442, Chapter 157:1, Laws of 2016): COMMISSION TO STUDY TAXABILITY OF LEASE INTERESTS IN PUBLIC PROPERTY:

Sen. David Boutin, appointed by the President of the Senate.

Reps. Patrick Abrami and Susan Almy, appointed by the Speaker of the House of Representatives.

Stephan Hamilton, designee of the New Hampshire Department of Revenue Administration.

Kathryn Temchak, appointed by the New Hampshire Municipal Association.

David McMullen, CNHA, appointed by the New Hampshire Association of Assessing Officials.

RSA 77-A:22 (SB 343, Chapter 153:1, Laws of 2016): COMMISSION TO STUDY THE AP-PORTIONMENT OF GROSS BUSINESS PROFITS UNDER THE BUSINESS PROFITS TAX:

Sens. Regina Birdsell and Lou D'Allesandro, appointed by the President of the Senate.

Reps. Norman Major, Patrick Abrami and Patricia Lovejoy, appointed by the Speaker of the House of Representatives.

Christopher Sullivan, appointed by the President of the Senate.

Al Letizio, Jr., member of the business community, appointed by the Speaker of the House of Representatives.

Scott Harris, president of the New Hampshire Bar Association.

Karl Heafield, CPA MST, designee of the President of the New Hampshire Society of Certified Public Accountants.

Christopher Way, designee of the Commissioner of the Department of Resources and Economic Development.

Kerrin Rounds, designee of the Commissioner of the Department of Revenue Administration. Attorney General or designee.

RSA 126-A:5-e (HB 1696, Chapter 13:12, Laws of 2016): COMMISSION TO EVALUATE THE EFFECTIVENESS AND FUTURE OF THE PREMIUM ASSISTANCE PROGRAM:

Sens. Jeb Bradley and Sharon Carson, appointed by the President of the Senate.

Sen. Dan Feltes, Senate minority party designee, appointed by the President of the Senate.

Reps. Stephen Schmidt and Karen Umberger, appointed by the Speaker of the House of Representatives.

Rep. Cindy Rosenwald, House minority party designee, appointed by the Speaker of the House of Representatives.

The Commissioner of the Department of Health and Human Services, or designee.

The Commissioner of the Department of Insurance, or designee.

Lisa Guertin, New Hampshire Insurance Carrier appointed by the President of the Senate.

Michael Rose, New Hampshire Hospital representative, appointed by the Speaker of the House of Representatives.

A public member, who is a taxpayer, appointed by the President of the Senate.

Peter Burwen, public member who receives insurance coverage through the program, appointed by the Speaker of the House of Representatives.

P. Travis Harker, MD, licensed physician appointed by the Governor.

Jacqui Abikoff, a licensed mental health professional, appointed by the Governor.

A masters level licensed alcohol and drug counselor, appointed by the Governor.

RSA 126-A:69 (SB 447, Chapter 1:1, Laws of 2016): COMMISSION TO STUDY NARCAN:

Sens. Kevin Avard and Donna Soucy, appointed by the President of the Senate.

Reps. Stephen Schmidt and Kendall Snow, appointed by the Speaker of the House of Representatives.

Rick Cricenti, designee of the Commissioner of Health and Human Services.

Michael Dupuis, pharmacist, appointed by the New Hampshire Board of Pharmacy.

Peter Danles, licensed alcohol and drug counselor, appointed by the chairperson of the New Hampshire Office of Professional Licensure and Certification.

A licensed physician, appointed by the New Hampshire Board of Medicine.

Vicki Blanchard, emergency technician, appointed by the Director of New Hampshire Fire Standards,

Training and Emergency Medical Services, Department of Safety.

John Drury, police officer appointed by the President of the Senate.

Kerry Nolte, appointed by the New Hampshire Nurse Practitioners Association.

A public member, appointed by the Governor.

Justin Van Etten, public member appointed by the President of the Senate.

Christopher Stawasz, public member appointed by the Speaker of the House of Representatives.

RSA 126-A:72 (SB 530, Chapter 274:1, Laws of 2016): COMMISSION TO STUDY VOLUNTEER HEALTH CARE SERVICES:

Sen. Jeanie Forrester, appointed by the President of the Senate.

Rep. Bill Nelson, appointed by the Speaker of the House of Representatives.

Tricia Lucas, Esquire, designee of the Commissioner of Department of Health and Human Services.

A representative of the New Hampshire Dental Society, appointed by the society.

John Butterly, MD, from the New Hampshire Medical Society.

A physician assistant, appointed by the New Hampshire Board of Medicine.

Jennifer Gaudet-Esenwine, advanced practice registered nurse, appointed by the New Hampshire Board of Nursing.

An optometrist, appointed by the Board of Registration in Optometry.

Daniel Dunn, appointed by the New Hampshire Hospital Association.

Nancy Smith, designee of the Attorney General.

A social worker, appointed by the Board of Mental Health Practice.

A pharmacist, appointed by the New Hampshire Board of Pharmacy.

RSA 161-I:8 (SB 439, Chapter 252:1), COMMISSION TO STUDY THE SHORTAGE OF NURSES AND OTHER SKILLED HEALTH CARE WORKERS FOR HOME HEALTH CARE SERVICES AND POST-ACUTE CARE SERVICES:

Sen. Jeff Woodburn, appointed by the President of the Senate.

Reps. Stephen Schmidt, John Fothergill and James MacKay, appointed by the Speaker of the House of Representatives.

Alisa Druzba, designee of the Commissioner of Department of Health and Human Services.

Tyler Brannen, designee of the Commissioner of New Hampshire Insurance Department.

Elizabeth Collins, Administrator of Special Medical Services of Department of Health and Human Services.

Dr. Paula Williams, designee of the Director of Division of Higher Education, Department of Education.

Briana L. White, appointed by the New Hampshire Nurses Association.

A pediatrician who provides treatment to medically fragile children, appointed by the New Hampshire Pediatric Association.

Janice McDermott, appointed by the Foundation for Healthy Communities.

Julie Reynolds, representative of a New Hampshire health agency, appointed by the Governor.

Audrey Gerkin and Heather Donnel, public members, appointed by the Governor.

Deborah Scheetz, appointed by the Commissioner of the Department of Health and Human Services. Mike Ferrara and Amy Schwartz, appointed by the Chancellor of the University System of New Hampshire.

Mary Jean Byer, Chair of New Hampshire Technical Institute Nursing Department.

Sandra Poleatewich, Executive Director from the Home Care Association of New Hampshire.

An adult who utilizes home health services and/or private duty nursing, appointed by the Governor.

Brendan Williams, appointed by the New Hampshire Health Care Association.

Matthew Lagos, appointed by the New Hampshire Association of Counties.

Gina Balkus, appointed by the Granite State Home Health Association.

Christine Santaniello, appointed by the Community Support Network.

Nancy Wells, appointed by the State Advisory Committee on the Education of Children/Students with Disabilities, Department of Education.

RSA 161:12, (SB 437, Chapter 269:1, Laws of 2016): COMMISSION TO ADDRESS CHILD HUNGER IN NEW HAMPSHIRE:

Sens. Molly Kelly and Andrew Hosmer, appointed by the President of the Senate.

Reps. Donald LeBrun and Daniel Eaton, appointed by the Speaker of the House of Representatives.

Terry Smith, designee of the Commissioner of the Department of Health and Human Services.

Jane Waterhouse, Commissioner of the Department of Education.

Ben Frost, appointed by the New Hampshire Housing Finance Authority.

Amy Ireland Bourgault, appointed by New Hampshire Kids Count.

Joanne Burke, appointed by New Hampshire Hunger Solutions.

Joy Barrett, appointed by Granite State Children's Alliance.

MaryLou Beaver, appointed by Every Child Matters New Hampshire.

Susan Wnuk, appointed by the Governor.

William Sherry, appointed by United Ways of New Hampshire.

Jeanne Agri, appointed by New Hampshire Head Start Directors Association.

Diane Fitzpatrick, appointed by the Boys and Girls Club of New Hampshire.

Claire Bloom, appointed by End 68 Hours of Hunger.

One representative of Child and Family Services of New Hampshire, appointed by that organization.

One pediatrician licensed in New Hampshire, appointed by the New Hampshire Pediatric Society.

Dan LaFleur, appointed by the New Hampshire Association of School Principals.

Jeni Mosca, appointed by the New Hampshire School Administrators Association.

One member of the New Hampshire Bar Association, appointed by the association.

Helen Costello, appointed by Catholic Charities New Hampshire.

One representative of the Business and Industry Association, appointed by that association.

RSA 175:11 (HB 197, Chapter 216:1, Laws of 2016): COMMISSION TO EVALUATE THE 3-TIER SYSTEM:

Reps. John Hunt and Edward Butler, appointed by the Speaker of the House of Representatives.

Sen. Jeb Bradley, appointed by the President of the Senate.

Joseph Mollica, New Hampshire Liquor Commissioner.

Lewis Eaton, appointed by the President of the Senate.

Brian Ferguson, appointed by the Speaker of the House of Representatives.

Amy LaBelle, appointed by the Governor.

Dean Williams, appointed by the President of the Senate.

Bert Bingel, an alcoholic beverage distributor, appointed by the Speaker of the House of Representatives.

An alcoholic beverage retailer, appointed by the Speaker of the House of Representatives.

An alcoholic beverage retailer, appointed by the Governor.

James Wilson, New Hampshire Liquor Commission designee (alternate member).

RSA 195:32 (HB 1303, Chapter 225:1, Laws of 2016): COMMISSION TO STUDY ISSUES RELATING TO PRE-EXISTING DISTRICTS WITHDRAWING FROM A COOPERATIVE SCHOOL DISTRICT:

Reps. Terry Wolf and Mary Heath, members of the Committee on Education, appointed by the Speaker of the House of Representatives.

Rep. Ken Weyler, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.

Sen. John Reagan, member of the Senate Education Committee, appointed by the President of the Senate. Vincent Migliore, designee of the Commissioner of the New Hampshire Department of Education.

Commissioner of the Department of Revenue Administration, or designee.

Kathleen Cuddy-Egbert, superintendent from a cooperative school district, appointed by the Governor Mark Holloran, appointed by the Governor.

Two school board members from cooperative school districts, appointed by the Governor.

Christina Barrett, member of the New Hampshire School Boards Association.

Dr. Carl M. Ladd, Executive Director, New Hampshire School Administrators Association.

James O'Shaughnessy, appointed by the New Hampshire Council of School Attorneys.

Donna Green, public member, appointed by the House Education committee.

John Lyscars, public member, appointed by the Senate Education committee.

RSA 215-A:10-a (HB 1396, Chapter 318:3, Laws of 2016): COMMISSION TO STUDY OHRV USAGE AND THE ALLOCATION OF LAW ENFORCEMENT AND EMERGENCY RESPONSE RESOURCES AND RESPONSIBILITIES:

Reps. Steven Smith and George Sykes, appointed by the Speaker of the House of Representatives.

Sen. Gary Daniels, appointed by the President of the Senate.

Richard Bailey, designee of the Commissioner of the Department of Safety.

Caleb Dobbins, designee of the Commissioner of the Department of Transportation.

John Wimsatt, designee of the Commissioner of the Fish and Game and Marine Resources.

Christopher Gamache, Chief Supervisor of the Bureau of Trails of the New Hampshire Department of Resources and Economic Development.

Harry Brown, appointed by the New Hampshire Off-Highway Vehicle Association.

Doug Dutile, appointed by the New Hampshire Sheriff's Association.

Bill Herman, appointed by the New Hampshire Municipal Association.

Pete Morency, appointed by the New Hampshire Association of Chiefs of Police.

Matt Leahy, appointed by the Society for the Protection of New Hampshire Forests.

Jim O'Brien, appointed by the Nature Conservatory of New Hampshire.

RSA 216-F:7 (SB 383, Chapter 268:1, Laws of 2016): COMMISSION TO STUDY AND RECOMMEND IMPROVEMENTS TO THE NEW HAMPSHIRE HIKING TRAILS NETWORK:

Sen. Jeb Bradley, appointed by the President of the Senate.

Rep. Chris Christensen, appointed by the Speaker of the House of Representatives.

Philip A. Bryce, Director of the Division of Parks and Recreation of the New Hampshire Department of Resources and Economic Development.

Bill Warren, appointed by the Appalachian Mountain Club.

Jack Waldron, appointed by the Wonalancet Outdoor Club.

Rory Gawler, appointed by the Dartmouth Outdoor Program/Dartmouth Outing Club.

One representative from the Randolph Mountain Club, appointed by that organization.

Raynold Jackson, appointed by Trailswrights of New Hampshire.

Thomas Wagner, appointed by the administrator of the White Mountain National Forest.

Craig Sanborn, appointed by the Cardigan Highlanders Volunteer Trail Crew.

Tim Symonds, appointed by the Monadnock-Sunapee Greenway Trail Club.

RSA 228:107 (SB 549, Chapter 276:3, Laws of 2016): PUBLIC-PRIVATE PARTNERSHIP TRANSPORTATION INFRASTRUCTURE OVERSIGHT COMMISSION:

Two members to be appointed by the President of the Senate for terms of 2 years.

Two members to be appointed by the Speaker of the House of Representatives for terms of 2 years.

RSA 275:76 (SB 488, Chapter 232:1, Laws of 2016): ADVISORY COUNCIL ON LACTATION:

Sen. Martha Fuller Clark, appointed by the President of the Senate.

Rep. Cindy Rosenwald, appointed by the Speaker of the House of Representatives.

Michele Small, designee of the Commissioner of the Department of Labor.

Lissa Sirois, appointed by the Commissioner of the Department of Health and Human Services.

A certified midwife, appointed by the midwifery council established in RSA 326-D:3.

A member of the New Hampshire Business and Industry Association, appointed by the association.

The president of the New Hampshire Breastfeeding Rights Coalition, or designee.

Maureen Gilbert-Thibault, chairperson of the New Hampshire Breast Feeding Task Force.

Jan Greer-Carney, appointed by the Governor.

A transportation official, appointed by the Governor.

Kate Corriveau, public member, appointed by the Governor.

RSA 281-A:32-a (SB 409 Chapter 305:3, Laws of 2016): COMMITTEE TO STUDY SOFT TISSUE INJURIES FOR PURPOSES OF WORKERS' COMPENSATION PERMANENT IMPAIRMENT AWARDS:

Sen. Donna Soucy, appointed by the President of the Senate.

Reps. William Infantine, Fred Doucette, and Andrew White, appointed by the Speaker of the House of Representatives.

RSA 318-B:26-b (HB 1681, Chapter 212:1, Laws of 2016): COMMISSION ON HYPODERMIC SYRINGES AND NEEDLES:

Reps. Donald LeBrun and Joseph Hannon, appointed by the Speaker of the House of Representatives. Sen. Gary Daniels, appointed by the President of the Senate.

Pamela Hoyt-Denison, P.E., Administrator, Waste Programs, appointed by the Commissioner of the Department of Environmental Services.

Lindsay Pierce, designee of the Commissioner of New Hampshire Department of Health and Human Services.

Attorney General, or designee.

Michael Dupuis, pharmacist appointed by the New Hampshire Board of Pharmacy.

Jeffrey Fetter, MD, appointed by the New Hampshire Medical Society.

Christine Villeneuve, appointed by New Hampshire Infection Control and Epidemiology Professionals.

Kevin Irwin, public member appointed by the Governor.

Molly Rossignol, public member, health care practitioner, appointed by the Governor.

Jason Lucey, APRN, appointed by the New Hampshire Nurse Practitioner Association.

Director of the Division of State Police, or designee.

Timothy Rourke, Chair of the Governor's Commission on Alcohol and Drug Abuse Prevention.

James Vara, Governor's Advisor on Addiction and Behavioral Health.

Andrew Shagoury, New Hampshire Association of Chiefs of Police.

Michele Merritt, Policy Director at New Futures.

Laura Fry, a member of the Public Health Network, appointed by the Department of Health and Human Services.

Kayla Fogg, representative of an HIV/AIDS service organization, appointed by the Governor.

Sandi Coyle, appointed by the Commissioner of the Department of Health and Human Services.

RSA 318-B:41 (SB 523, Chapter 309:2, Laws of 2016): COMMISSION TO STUDY REQUIR-ING CONTROLLED DRUGS AND CONTROLLED DRUG ANALOGS TO BE PROVIDED IN ABUSE-DETER-RENT FORMULATION:

Sen. Andy Sanborn, appointed by the President of the Senate.

Rep. Barbara Biggie, appointed by the Speaker of the House of Representatives.

Doris Lotz, MD, designee of the Commissioner of the Department of Health and Human Services. George Lantz, DO, appointed by the New Hampshire Board of Medicine.

Two additional licensed physicians, appointed by the New Hampshire Board of Medicine.

Michael Dupuis, appointed by the New Hampshire Board of Pharmacy.

Susan DiStasio, appointed by the New Hampshire Board of Nursing.

Thomas Brownlie, appointed by the Governor.

A representative of an insurance company, appointed by the Governor.

Michele Merritt, Executive Director of New Futures.

RSA 399-G:25 (HB 356, Chapter 205:1, Laws of 2016): COMMITTEE TO STUDY CRYPTO-**CURRENCY REGULATION:**

Rep. John Hunt, appointed by the Speaker of the House of Representatives.

Rep. Barbara Biggie, member of the committee on Commerce and Consumer Affairs, appointed by the Chairman of the committee on Commerce and Consumer Affairs.

Rep. Susan Almy, member of the committee on Ways and Means, appointed by the Chairman of the committee on Ways and Means.

Maryam Torben-Desfosses, designee of the Banking Commissioner.

Director of the Bureau of Securities regulation, or designee.

Jeremy Kauffman, representative of the cryptocurrency industry, appointed by the Governor.

RSA 485-F:4 (SB 380, Chapter 11:2, Laws of 2016): NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION:

Sens. Chuck Morse and Daniel Feltes, appointed by the President of the Senate.

Reps. Chris Christensen and Suzanne Smith, appointed by the Speaker of the House of Representatives. Rachel Miller, designee of the Deputy State Treasurer.

Thomas Burack, designee of the Governor.

Marcella Bobinsky, Director of the Division of Public Health Services, Department of Health and Human Services.

Bernie Rousseau, public member appointed by the Speaker of the House of Representatives.

Andrea Kenter, public member appointed by the Governor.

Brian Goetz, municipal official, appointed by the Governor.

David Paris, public member appointed by the President of the Senate.

RSA 485-G:1 (SB 375, Chapter 156:1, Laws of 2016): COASTAL MARINE NATURAL **RESOURCES AND ENVIRONMENT COMMISSION:**

Sens. David Watters and Nancy Stiles, appointed by the President of the Senate.

Reps. John Mullen, Frederick Rice, and Robert Cushing, appointed by the Speaker of the House of Representatives.

Steven Couture, designee of the Commissioner of the Department of Environmental Services.

Sabrina Stanwood, Bureau Administrator of the Department of Resources and Economic Development.

Douglas Grout, designee of the Executive Director of Fish and Game and Marine Resources.

The chair of the advisory committee on marine fisheries, or designee.

One commercial fisherman, appointed by the Governor.

One recreational fisherman, appointed by the Governor.

Jeffrey Barnum, Great Bay-Piscataqua Waterkeeper.

Dr. Erik Chapman, appointed by the University of New Hampshire Cooperative Extension in Fisheries. One environmental scientist from the University of New Hampshire, appointed by the President of the University of New Hampshire.

Elizabeth Baker, appointed by the Director of the Board of Trustees of the New Hampshire Nature

Conservancy.

RESIGNATIONS, DEATHS, SPECIAL ELECTIONS

01/03/2015 Rock/32 02/11/2015 Rock/13 04/15/2015 Rock/20 12/14/2015 Rock/21 03/09/2016 Rock/02 05/19/2016 Hills/23 05/19/2016 Merr/16 06/01/2016 Ches/04 06/01/2016 Hills/22 06/01/2016 Hills/34 06/01/2016 Straf/23 06/23/2016 Rock/17	Dobson, Brian F., r Howe, Ann, r Sweeney, Dennis, r Wood, David, r Tasker, Kyle, r Sweeney, Shawn, r Deloge, Helen, d Pearson, William, d Rowe, Robert, r Soucy, Timothy, d Leeman, Don, r Schroadter, Adam, r
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DECEASED

06/22/2015	Straf/01	Parsons, Robbie, r
02/20/2016	Belk/03	Luther, Robert, r
05/31/2016	Rock/17	Moody, Marcia, d
06/21/2016	Rock/14	Kellogg, Shem, r

DECLARED VACANCIES

lk/03
ck/02
ls/23
rr/16
ck/17
es/04
ls/22
ls/34
af/23
ck/14
ck/17
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SPECIAL ELECTIONS

05/06/2015	Rock/13	Green, Dennis, r
06/03/2015	Rock/32	Dean-Bailey, Yvonne, r
08/05/2015	Rock/20	Tilton, Rio, r
11/18/2015	Straf/01	Graham, Robert V. Sr., r
03/23/2016	Rock/21	Edgar, Michael, d

PARTY BREAKDOWN ON THE 400 SEATS

Republicans:	230 R	0 R&D	=	230
Democrats:	159 D	2 D&R	=	159
Currently elected and qualified:			=	389
Vacancies: Resignations 6, Special Elections 4, Deceased 1			=	011
Total Seats:			=	400
Men: 282, Women: 107				

TABLE OF REFERENCES FROM CHAPTER OF 2016 LAWS TO BILL NUMBERS

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Chapter	Bill Number		Bill Number		Bill Number
ĺ	SB 447-FN	55	SB 332-FN	109	HB 1340
2	SB 576-FN-A	56	SB 460	110	HB 1352-FN
3	HB 331	57	SB 400	111	HB 1409
4	HB 555	58	HB 535-FN	112	HB 1410
5	HB 502	59	HB 1165	113	HB 1450
6	SB 146	60	HB 1181	114	HB 1587
7	SB 157-FN	61	HB 1197	115	HB 1459
8	SB 227-FN	62	HB 1220	116	HB 1467
9	SB 265-FN	63	HB 1245-FN	117	SB 152
		64	HB 1244-L	118	SB 323
10	SB 144	65	HB 1283	119	SB 344-FN
11	SB 380	66	HB 1290	120	SB 362
12	HB 301	67	HB 1300	121	SB 374
13	HB 1696-FN	68	HB 1332	122	SB 386
14	HB 527			123	SB 388
15	HB 1145	69	HB 1497	124	SB 433
16	HB 1438-FN-L	70	HB 1665-FN	125	SB 461-FN
17	SB 110-FN	71	HB 1616-FN		
18	SB 238-FN	72	HB 231	126	SB 465-FN
19	SB 318	73	HB 377	127	SB 524
20	HB 242	74	HB 601-FN	128	SB 545
21	HB 295	75	HB 1121	129	HB 466
22	HB 536	76	HB 1124	130	HB 659-FN-L
23	HB 1171	77	HB 1130	131	HB 1170
24	HB 1199	78	HB 1154-FN	132	HB 1212
25	HB 1315	79	HB 1164	133	HB 1264
	HB 1355	80	HB 1175-FN	134	HB 1280
26		81	HB 1202	135	HB 1286
27	HB 1388-FN	82	HB 1223	136	HB 1287
28	HB 1397		HB 1226	137	HB 1294
29	HB 1418-L	83		138	HB 1302
30	HB 1419	84	HB 1239	139	HB 1316
31	HB 1116-FN	85	HB 1289	140	HB 1331
32	HB 1225	86	HB 1292		HB 1349
33	SB 378	87	HB 1372	141	
34	HB 216-FN	88	HB 1378	142	HB 1357
35	HB 351	89	HB 1451-FN	143	HB 1394
36	HB 499	90	HB 1515	144	HB 1403
37	HB 1219-FN-L	91	HB 1579	145	HB 1452
38	HB 1285	92	HB 1599-FN	146	HB 1486
39	SB 25-FN	93	HB 1655-FN	147	HB 1553-FN
40	SB 237-FN	94	SB 309	148	HB 1588
41	SB 257-FN	95	SB 352	149	HB 1594-FN
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42	SB 312 SB 314	97	SB 356-FN	151	HB 1618
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44	SB 316		SB 357 SB 359	153	SB 343
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47	SB 370	101	SB 427	156	SB 375
48	SB 371	102	SB 456-FN		SB 442-L
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52	SB 398	106	SB 519	160	SB 544
53	SB 313	107	HB 1195	161	HB 645-FN
54	SB 330-FN	108	HB 1329	162	HB 1147
34	330-174	100			

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165	HB 1267	221	HB 1204 HB 1210	276	SB 549-FN
166	HB 1268	222	HB 1246-FN	277	HB 1000-FN-A
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170	HB 1391	226	HB 1395	282	HB 427
171	HB 1415	227	HB 1589-FN	283	HB 606-FN-L
172	HB 1426-FN	228	HB 1608-FN	284	HB 628-FN
173	HB 1453	229	HB 1651	285	HB 1193
174	HB 1468	230	SB 300	286	HB 1461
175	HB 1482	231	SB 444-FN	287	HB 1595-FN
176	HB 1624-FN	232	SB 488-FN-L	- 288	HB 1656-FN
177	HB 1664-FN	233	SB 521-FN	289	HB 1685-FN
178	SB 59	234	HB 500	290	HB 1697-FN
179	SB 306	235	HB 1186	291	SB 66
180	SB 308	236	HB 1272-FN	292	SB 129-FN
181	SB 394	237	HB 1527-FN-A	293	SB 155-FN-A
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183	SB 418	239	SB 339-FN	295	SB 239-FN
184	SB 420-FN	240	SB 361	296	SB 310
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186	SB 436	242	SB 364	298	SB 319-FN
187	SB 477-FN	243	SB 376-FN	299	SB 326
188	SB 478-FN	244	SB 379	300	SB 342-FN
189	SB 494-FN-A	245	SB 387	301	SB 369-FN
190	SB 509-FN	246	SB 405	302	SB 384
191	SB 510-FN	247	SB 419-FN	303	SB 466-FN
192	SB 512	248	SB 424-FN		SB 471-FN
193	SB 550-FN	249	SB 429	305	SB 409-FN
194	SB 417	250	SB 431		SB 496-FN
195	SB 452-FN	251	SB 438	307	SB 498-FN
196	SB 467-FN	252	SB 439		SB 515-FN
197	SB 468-FN	253	SB 440-FN		SB 523-FN
198	SB 481-FN	254	SB 450		HB 114
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208	HB 1172 HB 1198-FN-L		SB 406-FN	319	HB 1428-FN-A-L
209	HB 1237		SB 464-FN-A		HB 1503
210			SB 127-FN		HB 1547-FN
211	HB 1354		SB 210-FN		HB 1584-FN
212	HB 1680-FN		SB 345		HB 1590-FN-A-L
212	HB 1681-FN HB 1423-FN		SB 383		HB 2016
214	HB 1423-FN HB 1490		SB 437		SB 391
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217	HB 430		SB 483-FN		IB 458
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2016

HOUSE JOURNAL NUMERICAL INDEX

This index, arranged by bill and resolution numbers, gives page numbers for all action in the House on each numbered bill and resolution. They are listed in the following order:

HA House Address HB House Bill

HCO House Concurrent Order
HCR House Concurrent Resolution
HJR House Joint Resolution
HR House Resolution

SB Senate Bill

SCR Senate Concurrent Resolution SJR Senate Joint Resolution

CACR Constitutional Amendment Concurrent Resolution

To find a bill by its subject see the Subject Index immediately following this NUMERICAL Index. All matters not relating to bills and resolutions will be found in the Subject Index.

The abbreviations listed below are used in the Numerical Index:

adop adopted

am amended, amendment
Com re-referred to committee
conc concurred, concurrence
conf conference committee

Criminal Justice referred to Criminal Justice and Public Safety committee

enr enrolled

Exec Depts referred to Executive Departments and Administration committee

Finance referred to Finance committee intro introduced, introduction IP indefinitely postponed

K killed (Inexpedient to Legislate)

LT laid on the table nonconc nonconcurred opin opinion psd passed RC roll call remt recommitted

recon reconsideration, reconsidered

rej rejected

rem removed from the consent calendar

rep report

req requests, requested

ret retained S Senate SO special order

study referred to interim study committee

vac vacate

Ways and Means referred to Ways and Means committee

wthd withdrawn

2016 SESSION HOUSE BILLS

2015 BILLS RETAINED IN HOUSE COMMITTEES 2015 BILLS REREFERRED TO SENATE COMMITTEES

- HB 105, relative to special number plates for members of the Civil Air Patrol. K 56
- HB 110, relative to placement of political advertising. am 39-40, psd 116, S nonconc 823
- HB 114, establishing beer specialty licenses and relative to rectifiers. am 35, psd 116, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1152, enr am 1179, enr 1192 (Chapter 310)
- HB 123, relative to walking disability placards.K 56
- HB 128, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies.
 K (RC) 61-64
- HB 131, relative to renewal of health club memberships. K 64
- HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.S study 249
- HB 143, relative to electric renewable energy classes.
 K 56
- HB 183, relative to voter registration forms. am 113-116, psd 117, S study 822
- HB 192, relative to the valuation of utility property.
 S nonconc 208
- HB 195, relative to continuing care communities. S study 208
- HB 197-FN, relative to sales and samples provided by wine manufacturers. am 65, psd (RC) 65-67, 116, conc S am 1072-1073, enr 1173 (Chapter 216)
- HB 211, establishing a commission to study domestic affairs. rem 34, K 199
- HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board. conc S am 826, enr 914 (Chapter 34)
- HB 218-FN, relative to additional funding for third grade proficiency in mathematics. am & Finance 103-104, K 413
- HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions.
 K 160
- HB 229, relative to increasing the maximum amount of the optional veterans tax credit.
 K 55
- HB 231, relative to applications for school building aid. am & Finance 104-105, psd 413, 595, conc S am 855, enr 972 (Chapter 72)
- HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. SO 87, LT 129, died on the table 1237
- HB 242, relative to the statewide improvement and assessment program.
 am & Finance 105, psd 497, 597, S conc 822, enr am 852, enr 856 (Chapter 20)

HB 243, changing the definitions of "focus school" and "priority school" in the school performance and accountability law.

K 39

- HB 249, relative to the award of alimony and the enforcement of orders under RSA 458. study 35
- HB 253, relative to the requirements for filing a charter school application. K 105
- HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. K 60
- HB 280, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans.

am & Finance 180-183, psd (RC) 750-753, 818, nonconc S am, conf 1077, 1099, rep adop 1151, 1152, enr 1182 (Chapter 279)

- HB 285, relative to discussion with legal counsel under the right-to-know law. nonconc S am, conf 826, 1069, conferee change 1104, rep adop 1151, 1152, enr 1182 (Chapter 280)
- HB 288-L, relative to the code for energy conservation in new building construction.
- HB 294, establishing a commission to develop a strategic plan for New Hampshire. K 43
- HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. am 55-56, psd 116, S conc 822, enr 852 (Chapter 21)
- HB 297, protecting individual customer data from disclosure by a public utility. LT 165, rem, am & psd 634, 736, conc S am 1096, enr am 1173, enr 1177 (Chapter 258)
- HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. am & Executive Departments and Administration 105-106, ref waived 168, psd 206, S conc 739, enr 819 (Chapter 12)
- HB 312, relative to registration of voters. K 40
- HB 324, relative to membership in a union. K 53-54
- HB 327, relative to investment crowdfunding. study 36
- HB 331, relative to absences among selectmen on election day. S conc 167, enr 208 (Chapter 3)
- HB 334, relative to the sale of personally identifiable information by Internet service providers. am 165-166, psd 166, 167, S study 915
- HB 346, relative to criminal history records checks for school employees and volunteers. S nonconc 167
- HB 351, exempting historically significant vehicles from emission control requirements. psd 57, 116, conc S am 826, enr 914 (Chapter 35)
- HB 353, relative to the governance of condominium unit owners' associations. nonconc S am, conf 826, 1069, rep adop 1151, 1152, enr am 1179, enr 1192 (Chapter 311)
- HB 356, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters. am 36, psd 116, conc S am 921, enr am 1102, enr 1103 (Chapter 205)
- HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. am & psd 186, 206, S nonconc 739

- HB 366, relative to the alcohol percentage used to classify beverages.
 K 37
- HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees. study 166
- HB 372, relative to certain private employers under workers' compensation.
 LT 119, rem 196, Labor, Industrial and Rehabilitative Services (RC) 197-199, study 746
- HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program.
 K (RC) 131-134
- HB 377, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer. am 43-45, psd 116, cone S am 826, enr am 916, enr 917 (Chapter 73)
- HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues. rem 34, am 199-200, psd 200, 206, conc S am 1072, enr 1182 (Chapter 281)
- HB 380, relative to investigations of child day care agencies. S nonconc 208
- HB 383, relative to the immunization/vaccination registry.
 S study 208
- HB 385-FN, relative to special motorcycle number plates for disabled veterans.
 K 57
- HB 386-FN-A, reducing the rate of the business profits tax. K 58
- HB 388-FN-A, establishing university number plates.
 K 57
- HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. study 40
- HB 399-FN, establishing a force of state capitol security officers with the authority to carry firearms. study 55
- HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. rem 34, K (RC) 200-202
- HB 405-FN, requiring the department of health and human services to license supervised visitation centers.
 - rem 34, SO 74, K 116, conflict of interest declared 116
- HB 420-FN, relative to limited driving privileges after revocation for certain financial obligations.
 K 57
- HB 427, relative to the definition of the New Hampshire fire code. nonconc S am, conf 826, 852, rep adop 1151, (RC) 1152-1154, debate printed 1155, enr 1182 (Chapter 282)
- HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. psd 161, 167, conc S am 1094, enr 1173 (Chapter 217)
- HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. nonconc S am, conf 827, 1069, rep adop 1151, 1155, enr am 1179, enr 1235 (Chapter 328)
- HB 463, relative to state agency communications.
 - S nonconc 167
- HB 465, relative to workers' compensation for domestic employees.
 K 54

- HB 466, relative to the definition of "implement of husbandry." am 43, psd 116, S conc 918, enr 1103 (Chapter 129)
- HB 471, relative to the powers of the state board of education and the duties of school boards. am 106-107, psd 117, S nonconc 739
- *HB* 475, prohibiting the state from engaging in acts of civil forfeiture. SO 121, LT 144-145, died on the table 1237
- HB 477-FN-L, relative to workers' compensation benefits and establishing payment schedules.
 K 54
- HB 488, relative to an abusive work environment and the health and safety of public employees.
 K 121
- HB 499, permitting New Hampshire farmers to sell certain farm raised animals directly to the public. am 119-121, psd 121, 167, conc S am 826, enr 914 (Chapter 36)
- HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. psd (RC) 134-136, 167, conc S am 922, enr am 1102, enr 1171 (Chapter 234)
- HB 501, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces.K 56
- HB 502, relative to petitions for verification of checklists.S conc 168, enr 277 (Chapter 5)
- **HB 504,** relative to online driver education. SO 74, psd (RC) 74-77, 116, S nonconc 1069
- HB 505, relative to baiting for game birds and game animals by persons with a disability.
 K 137
- HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.
 am 91-92, psd (RC) 92-94, 116, conc S am 1093, enr am 1173, enr 1177, veto sustained (RC) 1212-1215
- HB 513, relative to complaint investigation procedures of the guardian ad litem board. am 60-61, psd 61, 116, S nonconc 917
- HB 515-FN, relative to oversight of guardians ad litem by the guardian ad litem board.
 K 61
- HB 518, relative to authority to establish fees for licenses issued by the fish and game department.
 K 137
- HB 521, relative to the size of the pool of the workers' compensation appeals board.
 S nonconc 168
- HB 527, establishing guidelines for school districts relative to the use of school resource officers. am 107-108, psd 117, conc S am 741, enr 851 (Chapter 14)
- **HB 529,** relative to party conventions. S nonconc 167
- HB 533, relative to arc-fault circuit-breaker protection in residential construction. am 121-122, psd 122, 167, nonconc S am, conf 1073, 1099, conferee change 1104, rep adop 1151, 1155, enr am 1177, enr 1178, veto sustained (RC) 1215-1218
- HB 535-FN, relative to signs advising motorists approaching highway emergencies. am 57-58, psd 116, S conc 852, enr 916 (Chapter 58)
- HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.
 am, Finance 39, ref waived 94, psd 116, S conc 739, enr 852 (Chapter 22)
- HB 538-FN-L, relative to the implementation of new statewide education annual assessments. study 108

- HB 546, relative to exactions for improvements related to innovative land use controls.
 K 56
- HB 549-FN-A-L, allowing school building aid grants for certain authorized projects. am & Finance 108-109, K 413
- HB 552-FN, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees.
 K (RC) 187-189
- HB 555, relative to participation of chartered public school students in school district co-curricular activities.

S conc 167, enr 208 (Chapter 4)

- HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system. LT rej & study 166
- HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.

nonconc S am 856

- HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities.
 K 45
- HB 567-FN, establishing breast cancer and pediatric cancer special number plates.

 K 58
- **HB 569-FN-A**, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax. study 58
- HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax. K 58
- HB 581-FN, requiring schools to continue the education of a child during the child's suspension or expulsion.Study 39
- HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. am 94-96, psd (RC) 96-98, 116, S conc 918, enr 1103, veto sustained (RC) 1218-1221
- HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefore.
 K 38
- HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. rem 34, am 203, psd &Finance (RC) 204-206, K 413
- HB 586-FN-L, relative to registration of automobile utility trailers. am & Ways and Means 183-186, study 746
- HB 589-FN, relative to prohibited coercion of political contributions.
 K 40
- HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.
 S study 208
- **HB 594-FN-A**, establishing keno. am 195-196, psd 196, 206, S nonconc 917
- HB 596-FN-L, relative to health insurance plans of public employers.
 K 37
- HB 601-FN, relative to cash dispensing machine requirements. am 67-68, psd 68, 116, S conc 914, enr 972 (Chapter 74)
- HB 602-FN, relative to the use of drones. SO 87, am & Criminal Justice and Public Safety (RC) 123-129, am, LT rej & psd (2RCs) 758-765, 819, nonconc S am, conf 1073, 1099, conferee change 1104, rep not filed 1237

- HB 605-FN, repealing mandatory minimum sentences.
 am 98-100, psd 100, 116, nonconc S am, conf 924, 1099, rep adop 1151, (RC) 1155-1157, enr am 1180, enr 1192 (Chapter 312)
- HB 606-FN-L, relative to costs for public records filed electronically.
 nonconc S am, conf 826, 1069, conferee change 1104, rep adop 1151, 1157, enr 1182
 (Chapter 283)
- HB 611-FN, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education.
 K 109
- HB 613, relative to governmental records exempted under the right-to-know law. S study 208
- HB 617-FN-A, requiring state police to wear a camera when interacting with the public. am & Finance 100-103, ref waived 103, psd 117, S nonconc 915
- HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor.
 K 56
- **HB 625-FN-A**, relative to public charter schools. study 109
- **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors.
 - SO 74, am 77-80, LT rej (RC) 81-83, Finance 83, am & psd 753-756, 819, conc S am 923, enr am 1102, enr 1173 (Chapter 218)
- HB 628-FN, relative to indemnification of health care facilities under certain circumstances. nonconc S am, conf 741, 852, rep adop 1151, 1157-1158, enr 1182 (Chapter 284)
- HB 629-FN, relative to induced termination of pregnancy statistics. am 51-53, psd 116, S LT 919, died on the table 1238
- HB 630-FN-A, establishing the New Hampshire video lottery. SO 180, K (RC) 189-192
- HB 634-FN-A, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief.
 SO 137, K (RC) 137-140
- HB 636-FN, relative to forfeiture of property.
 am & Finance 141-144, am & psd 756-757, 819, nonconc S am (RC) 1091-1093
- HB 645-FN, relative to the licensure and regulation of child day care agencies. conc S am 922, enr 1099 (Chapter 161)
- HB 659-FN-L, allowing all voters to vote by absentee ballot. am 41-43, psd 116, S conc 917, enr am 1068, enr 1103 (Chapter 130)
- HB 661-FN, relative to record keeping for sold or transferred animals. am 129-131, psd 131, 167, S nonconc 819
- HB 668-FN, relative to expense deductions under the business profits tax. rem 35, SO 206, am & Finance (RC) 359-362, ref waived 367, psd 377, nonconc S am, conf 1078, 1099, rep not filed 1237
- HB 672-FN, establishing a state bank. study 37
- HB 688-FN-L, relative to establishing an agricultural education number plate.
 K 58
- HB 689, relative to adoption of a default budget.S study 167

2016 SESSION HOUSE BILLS

- HB 1000-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. (Hinch, Hills 21; et al: No committee assignment
 - rules suspended & intro (RC) 1184-1187, limit debate (RC) 1187-1189, psd (6RCs) 1189-1212, recon rej 1199, rules suspended rej (RC) 1208-1210, S conc 1218, enr 1235 (Chapter 277)
- HB 1100, relative to licensure of guides by the fish and game department. (Parent, Merr. 26; Fish and Game and Marine Resources)2. K 418
- HB 1101, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines. (Eastman, Hills. 28; et al: Ways and Means)2, study 458
- HB 1102, relative to travel on ways with 3 or more lanes. (Potucek, Rock. 6; et al: Transportation)
 2, K 455
- HB 1103, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College. (Cushing, Rock. 21; Legislative Administration)
 2 K 437
- HB 1104, relative to electric renewable energy classes. (Murotake, Hills. 32; et al: Science, Technology and Energy)2, K (RC) 634-637
- HB 1105, establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)
 - 2, psd 385, 594, conc S am 921, enr am 1102, enr 1171 (Chapter 219)
- HB 1106, relative to days on which fishing is permitted without a license. (Cushing, Rock. 21; et al: Fish and Game and Marine Resources)2, K 418
- HB 1107, changing the name of Sargent's Purchase to Marilla Ricker. (Cushing, Rock. 21; et al: Municipal and County Government)2. K 228-229
- HB 1108, relative to inquiries by employers into the criminal history of applicants for employment.(Heffron, Rock. 18; et al: Labor, Industrial and Rehabilitative Services)2, study 434
- HB 1109, relative to notice of offer for property in eminent domain cases and making the condemning entity liable for reasonable attorney's fees in certain cases. (B. Tilton, Ches. 12; Judiciary) 2, K 429
- HB 1110 not introduced.
- HB 1111, relative to securities advisory councils and committees. (Brewster, Merr. 21; Commerce and Consumer Affairs)2. K 385
- HB 1112, relative to subdivision of land. (Coffey, Hills. 25; Municipal and County Government)2, LT (RC) 612-614, died on the table 1237
- HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections. (Verschueren, Straf. 13; et al: Criminal Justice and Public Safety) 2, psd 390, 595, S nonconc 823
- HB 1114, relative to the number of inspectors of election. (Gray, Straf. 8; Election Law) 2, psd 404, 595, S study 915
- HB 1115, relative to the laws governing the citizens of New Hampshire. (Edelblut, Hills. 38; Judiciary)
 - 2, K 429

- HB 1116-FN, relative to net metering. (Edelblut, Hills. 38; et al: Science, Technology and Energy) 2, am & psd 637-638,736, S conc 851, enr am 853, enr 916 (Chapter 31)
- HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income. (Edelblut, Hills. 38; Children and Family Law)
 2, psd 684, 736, S nonconc 919
- HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. (Edelblut, Hills. 38; Children and Family Law)
 - 3, am 384, psd 594, S nonconc 919
- HB 1119-L, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. (Higgins, Graf. 12; et al: Municipal and County Government)
 3, K 212
- HB 1120, relative to teacher qualifications at charter schools. (Rollo, Straf. 18; et al: Education) 3, SO 735, K (RC) 765-768
- HB 1121, relative to the academic areas that comprise the statewide assessment. (Ladd, Graf. 4; et al: Education)
 - 3, am 397-398, psd 595, conc S am 855, enr 972 (Chapter 75)
- HB 1122, relative to limitations on supervisory positions in state employment. (D. McGuire, Merr. 21; et al: Executive Departments and Administration)
 - 3, K (RC) 487-489
- HB 1123, relative to a property tax exemption for certain stand-by generators. (C. McGuire, Merr. 29; et al: Municipal and County Government)3. K 229
- HB 1124, relative to the membership of the occupational therapy governing board. (C. McGuire, Merr. 29: Health, Human Services and Elderly Affairs)
 - 3, am 420, psd 595, S conc 914, enr 972 (Chapter 76)
- HB 1125, requiring law enforcement officers to return stolen property. (Hoell, Merr. 23; et al: Judiciary)
 - 3, K (RC) 550-552
- HB 1126, limiting the authority of delegates to Article V conventions. (Itse, Rock. 10; et al: Legislative Administration)
 - 3, rem 383, SO 735, LT 816, died on the table 1237
- HB 1127, relative to qualifications of referees in the superior courts and circuit courts. (Itse, Rock. 10; et al: Judiciary)
 - 3, psd (RC) 232-234, 248, S nonconc 919
- HB 1128, proclaiming the second week in September as Patriot Week. (Itse, Rock. 10; et al: Executive Departments and Administration)
 - 3. K 409
- HB 1129, relative to approval of fees established by the register of deeds. (E. Hennessey, Graf. 1; et al: Municipal and County Government)
 - 3, K 614
- HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service. (Bates, Rock. 7; et al: State-Federal Relations and Veterans Affairs)
 - 3, SO 321, LT rej (RC) 322-324, am & Education (2RCs) 324-329, am 741-742, psd 818, S conc 915, enr 972 (Chapter 77)
- HB 1131, relative to vehicles formerly used as ambulances. (Proulx, Hills. 44: Transportation)3, K 455
- **HB 1132**, relative to carrying a loaded rifle or loaded shotgun in certain vehicles. (Proulx, Hills. 44, et al: Transportation)
 - 3, am (RC) 657-660, psd 660, 736, S nonconc 1069

- HB 1133, relative to the maximum amount of a customer deposit which may be required under rules of the public utilities commission. (Zaricki, Hills. 6; et al: Science, Technology and Energy) 3, K 638
- HB 1134, relative to open access to broadband infrastructure. (Abramson, Rock. 20; et al: Science, Technology and Energy)
 - 3, rem 384, SO 735, LT 817, died on the table 1237
- HB 1135, relative to physical force in defense of a person. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety)
 - 3, rem 383, SO 735, K (RC) 785-788
- HB 1136, authorizing the fish and game department to grant awards for solutions to reducing the Asian shore crab and European green crab populations. (Abramson, Rock. 20: Fish and Game and Marine Resources)
 - 3, K 418
- **HB 1137**, relative to the adoption of school administrative unit budgets. (Abramson, Rock. 20; et al: Education)
 - 3, K 398
- HB 1138, relative to access to investigational drugs, biological products, and devices. (Edelblut, Hills. 38; Health, Human Services and Elderly Affairs)
 - 3, am 420, psd 595, conc S am 922, enr 1099 (Chapter 206)
- HB 1139, establishing a committee to examine state protections from financial fraud. (Williams, Hills. 4; et al: Commerce and Consumer Affairs)3, K 717
- HB 1140, relative to financial responsibility for gas transmission pipelines. (Estevez, Hills. 37; et al: Science, Technology and Energy)
 3, K (RC) 639-641
- HB 1141, defining "agritourism." (Haefner, Hills. 37; et al: Environment and Agriculture) 4, am 407, psd 595, S study 917
- HB 1142, relative to employee compensation at certain hospitals. (Williams, Hills. 4: Executive Departments and Administration)
 4, K 409
- HB 1143, relative to showing a ballot. (Rideout, Coos 7; et al: Election Law)
 4, rem 383, SO 735, ruling of the Chair upheld & LT (RC) 802-804, died on the table 1237
- HB 1144-L, relative to notice for sessions of correction of the check list. (Souza, Hills. 43; et al: Election Law)
 - 4, rem 383, SO 735, am & psd 804-806, 819, conc S am 1094, enr am 1174, enr 1178 (Chapter 259)
- HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. (Gile, Merr. 27; et al: Education)
 4, psd 398, 595, S conc 822, enr 851 (Chapter 15)
- HB 1146, relative to certificates of site and facility. (McConnell, Ches. 12; et al: Science, Technology and Energy)
 - 4, K 641
- HB 1147, requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee. (McConnell, Ches. 12; et al: Resources, Recreation and Development)
 - 4, am 449, psd 596, conc S am 923, enr 1099 (Chapter 162)
- HB 1148, establishing a committee to review potential statutory revisions to constrain possible stranded costs associated with pipeline capacity contracts. (McConnell, Ches. 12; et al: Science, Technology and Energy)
 - 4. psd (2RCs) 641-646, 736, conc S am 923, enr 1099 (Chapter 163)
- HB 1149, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. (McConnell, Ches. 12; et al: Science, Technology and Energy) 4, K 257

- HB 1150, relative to the penalty for failure to deliver goods under the Uniform Commercial Code. (Marple, Merr. 24; et al: Commerce and Consumer Affairs)4. K 385
- HB 1151, relative to after market tinting on side windows. (Hill, Merr. 3; et al: Transportation) 4, K 455
- HB 1152, relative to the definition of specialty beer. (Whitehouse, Straf. 2; et al: Commerce and Consumer Affairs)
 - 4, psd 385, 594, S nonconc 919
- HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders. (Welch, Rock. 13; et al: Criminal Justice and Public Safety)
 - 4, rem 383, LT rej (RC) 788-791, psd (RC) 791-793, 819, S LT 919, died on the table 1238
- HB 1154-FN, authorizing and regulating the use of license plate scanning devices. (Peterson, Hills.7: Transportation)
 - 4, am 660-661, psd (RC) 661-663, 736, S conc 915, enr 972 (Chapter 78)
- HB 1155, relative to providing choice of meters to customers of utilities. (Halstead, Hills. 23: Science, Technology and Energy)4. K 453
- *HB 1156*, relative to interference with traffic devices. (Higgins, Graf. 12; et al: Transportation) 4, am 455, psd 596, S LT 853, died on the table 1238
- HB 1157, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)4. K 455
- HB 1158, relative to an exemption from the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)4. K 455
- HB 1159-FN, relative to sale of tobacco products. (Hunt, Ches. 11: Commerce and Consumer Affairs)4, study 251
- HB 1160-FN, relative to licensing spas and salons to serve alcoholic beverages. (Hunt, Ches. 11:
 Commerce and Consumer Affairs)
 K 385
- HB 1161, relative to the traffic safety commission. (Crawford, Carr. 4; et al: Transportation) 4, am 456, psd 596, conc S am 923, enr 1099, committee repealed and reenacted 1238 (Chapter 164)
- HB 1162, relative to eligibility for utility dealer registration. (Moffett, Merr. 9; et al: Transportation)4, K 456
- HB 1163, relative to lobbying, campaign contributions, and political advertising. (T. Smith, Hills. 17; et al: Legislative Administration)4. K 437
- HB 1164, relative to contributions by a city or town to the county or state. (T. Smith, Hills. 17; et al: Municipal and County Government)
 - 4, psd 439, 596, conc S am 856, enr 972 (Chapter 79)
- HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws. (Rogers, Merr. 28; et al: Children and Family Law)
 - 4, am 384-385, psd 594, S conc 851, enr am 853, enr 916 (Chapter 59)
- HB 1166-FN, appointing personal representatives for persons who had founded petitions before the house committee on redress of grievances. (Brewster, Merr. 21: Judiciary) 5, K 429
- HB 1167-FN, repealing the administrative procedure act. (Brewster, Merr. 21: Executive Departments and Administration)
 - 5, K 409

- HB 1168, relative to decrees pro confesso in title dispute actions. (Brewster, Merr. 21: Judiciary) 5, K 228
- HB 1169, prohibiting bank fees for on-line accounts. (Brewster, Merr. 21: Commerce and Consumer Affairs)

5, K 385

- HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park. (Theberge, Coos 3; et al: Resources, Recreation and Development)5, psd 449, 596, S conc 917, enr 1068 (Chapter 131)
 - 5, pad 115, 550, 5 cone 517, cm 1000 (chapter 151)
- HB 1171, relative to appeals heard by the waste management council. (C. Christensen, Hills. 21; et al: Environment and Agriculture)
 - 5, psd 407, 595, S conc 822, enr 852 (Chapter 23)
- HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain.
 (C. Christensen, Hills. 21; et al: Resources, Recreation and Development)
 5, psd 449-450, 596, conc S am 923, enr 1103 (Chapter 207)
- HB 1173 not introduced.
- HB 1174, relative to energy sources for new natural gas transmission compressor stations. (Williams, Hills. 4; Science, Technology and Energy)
 5, K (RC) 647-649
- HB 1175-FN, relative to post-judgment real estate liens. (Lachance, Hills. 8; et al: Judiciary) 5, am 553, psd 553, 597, S conc 915, enr 972 (Chapter 80)
- HB 1176, relative to nomination and qualification of fish and game commissioners. (Parent, Merr. 26: Fish and Game and Marine Resources)
 5. study 419
- HB 1177, relative to permission required for baiting for game on the property of another. (Parent, Merr. 26: Fish and Game and Marine Resources)5. K 419
- HB 1178, relative to the taking of black bear assisted by a licensed guide. (Parent, Merr. 26: Fish and Game and Marine Resources)
 - 5, K (RC) 531-534
- HB 1179-L, relative to the taxation of manufactured housing on the land of another. (Abbott, Ches. 1; et al: Municipal and County Government)5, K 439
- HB 1180-L, relative to the authority of towns to issue bonds for the expansion of Internet service.
 (Leishman, Hills. 24; et al: Municipal and County Government)
 5, K (RC) 615-618
- HB 1181, relative to designating an alternate cemetery trustee. (McConnell, Ches. 12; et al: Municipal and County Government)5, psd 439-440, 596, S conc 852, enr 916 (Chapter 60)
- HB 1182-FN, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)
 - 5, am & Ways and Means 251-252, psd 746, 818, nonconc S am, conf 1073, 1099, rep not filed 1237
- HB 1183, relative to election result recounts. (McConnell, Ches. 12; et al: Election Law)
 5, K 404
- HB 1184-FN, relative to license fees for domestic wine manufacturers. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs)
 5. K 362
- HB 1185 not introduced.
- HB 1186, relative to coasting of vehicles. (Schleien, Hills. 37; et al: Transportation) 5, am 456, psd 596, conc S am 1097, enr 1173 (Chapter 235)

- HB 1187-FN-L, repealing licensure of showmen. (Schleien, Hills. 37; et al: Executive Departments and Administration)
 - 5, K 490
- HB 1188, relative to the brew pub license. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs) 5, SO & psd 685, 736, S nonconc 919
- HB 1189-FN, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. (Cushing, Rock. 21; et al: Education)
 5, rem 250, K 376
- HB 1190, relative to a grant of land to Dartmouth College. (Cushing, Rock. 21; et al: Municipal and County Government)5. K 440
- HB 1191, establishing an exotic game license for hunting in a game preserve. (Cushing, Rock. 21; et al: Fish and Game and Marine Resources)6. K 419
- HB 1192-FN, repealing the education tax credit. (Ford, Graf. 3; et al: Ways and Means) 6, K (RC) 664-667
- HB 1193, relative to the wellness and primary prevention council and relative to certification of school nurses. (B. French, Merr. 6; et al: Health, Human Services and Elderly Affairs)
 6, am 210, psd 219, nonconc S am, conf 924, 1099, rep adop 1151, (RC) 1158-1160, enr 1182 (Chapter 285)
- HB 1194, relative to medical benefits under motor vehicle insurance. (Buco, Carr. 2; et al: Commerce and Consumer Affairs)6, K 386
- HB 1195, relative to prepayment contracts for petroleum products. (Hunt, Ches. 11: Commerce and Consumer Affairs)
 6, psd 386, 594, S conc 915, enr am 916, enr 972 (Chapter 107)
- HB 1196, relative to the amount of a money judgment for unpaid rent. (Chirichiello, Rock. 6; et al: Judiciary)6. K 429
- HB 1197, relative to conservation number plate funds. (Abrami, Rock. 19; et al: Ways and Means) 6, psd 458, 596, S conc 851, enr am 853, enr 916 (Chapter 61)
- HB 1198-FN-L, relative to the valuation of poles and conduits owned by telephone utilities. (Abrami, Rock. 19; et al: Ways and Means)
 - 6, am (3 RCs) 667-677, psd 677, 736, conc S am 924, enr 1099 (Chapter 208)
- HB 1199, allowing adults to play children's bingo at private campgrounds or hotels. (Webb, Rock. 6; et al: Ways and Means)
 - 6, psd 458, 596, S conc 822, enr 852 (Chapter 24)
- *HB 1200-L*, relative to the use of recycled glass. (Weber, Ches. 1; et al: Public Works and Highways) 6, K 448
- HB 1201, relative to withdrawal from a cooperative school district. (J. Belanger, Hills. 27; et al: Education)6. K 398
- HB 1202, relative to applications submitted to a planning board. (J. Belanger, Hills. 27: Municipal and County Government)
 6, psd 440, 596, S conc 915, enr 972 (Chapter 81)
- HB 1203, relative to voting on variances. (J. Belanger, Hills. 27; et al: Municipal and County Government)
 - 6, psd 440, 596, S nonconc 1070
- HB 1204, relative to payment of rent pending the stay of an eviction proceeding. (Abrami, Rock. 19; et al: Judiciary)
 - 6, am 430, psd 596, conc S am 923, enr am 1102, enr 1171 (Chapter 220)

- HB 1205, including libraries that provide children's programming in the definition of drug-free school zone. (Gray, Straf. 8: Education) 6, K 398
- HB 1206, relative to limited credits. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs) 6, study 386
- HB 1207-FN, exempting wine sample fees from the meals and rooms tax. (Potucek, Rock. 6; et al: Commerce and Consumer Affairs) 6, K 362
- HB 1208-FN, relative to administration of the tobacco tax. (R. Ober, Hills. 37; et al: Ways and Means) 6, psd 458, 596, S conc 851, enr am 853, enr 916, veto sustained (RC) 1221-1223
- HB 1209, relative to consultations under the telemedicine law. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs) 6, K 420
- HB 1210, relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs) 6, psd 420, 595, conc S am 922, enr am 1102, enr 1171 (Chapter 221)
- HB 1211, relative to requirements for certain alcoholic beverage licenses. (Fromuth, Hills. 7; et al: Commerce and Consumer Affairs) 6, am 386, psd 594, S nonconc 919
- HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton.
- (Bailey, Graf. 14; et al: Public Works and Highways) 6, psd 241, 248, S conc 1069, enr 1103 (Chapter 132)
- HB 1213-FN, repealing athletic trainer license requirements. (Fromuth, Hills. 7; et al: Executive Departments and Administration) 6, K 409
- HB 1214, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. (Pantelakos, Rock. 25; et al: Municipal and County Government) 7, K (RC) 237-240
- HB 1215-FN-A, changing the allocation of penalty assessment funds, establishing a compensation fund for victims of crimes against the person, and continually appropriating a percentage of penalty assessments to such fund. (Brewster, Merr. 21: Finance) 7. K 414
- HB 1216-FN, requiring public bodies and agencies to provide information which is not regularly kept or reported upon payment by the requestor. (Verschueren, Straf. 13; et al: Judiciary) 7, K 431
- HB 1217, relative to the duties of and meeting requirements for the judicial council. (Brewster, Merr. 21: Judiciary) 7, K 210
- HB 1218, relative to levy of executions on shares in any corporation. (Brewster, Merr. 21: Judiciary) 7, K 431
- HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. (Coffey, Hills. 25; et al: Municipal and County Government) 7, am & psd 618, 736, S conc 851, enr 914 (Chapter 37)
- HB 1220, relative to disqualification of election officers. (Gray, Straf. 8: Election Law) 7, psd 404, 595, S conc 852, enr 916 (Chapter 62)
- HB 1221, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities. (Fromuth, Hills. 7; et al: Municipal and County Government) 7, K 240
- HB 1222, relative to procedures for appraisals by assessing officials. (Fromuth, Hills. 7; et al: Municipal and County Government) 7, K 440

- HB 1223, relative to changes of address on election day. (Gray, Straf. 8: Election Law) 7, psd 404, 595, S conc 915, enr 972 (Chapter 82)
- HB 1224, establishing RV month in New Hampshire. (Weyler, Rock. 13; et al: Executive Departments and Administration) 7, K 490
- HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation. (Edelblut, Hills. 38; et al: Education)7, am & psd 705-706, 736, S conc 851, enr 914 (Chapter 32)
- HB 1226, relative to administration of pharmaceutical agents by optometrists. (Hoell, Merr. 23; et al: Executive Departments and Administration)
 - 7, am 409-410, psd 595, S conc 915, enr 972 (Chapter 83)
- HB 1227, repealing provisions of law regulating Sunday business activities and relative to the consumption of liquor at sports complexes. (Schleien, Hills. 37; et al: Commerce and Consumer Affairs)
 - 7, SO 685, am & psd 686, 736, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 313)
- HB 1228-FN-A, requiring the payment of an amount paid to redeem real property and making an appropriation therefor. (Brewster, Merr. 21: Finance) 7, K 414
- HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. (Boehm, Hills. 20; et al: Education)7, SO 735, psd 768, 819, S nonconc 919
- HB 1230, relative to information on dog licenses. (Sad, Ches. 1: Municipal and County Government) 7, K 229
- **HB 1231**, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills. 16; et al: Education)
 - 7, SO 735, am & psd 768-769, 819, S LT 915, died on the table 1238
- HB 1232, relative to visits to schools by non-academic government or private organizations.(V. Sullivan, Hills. 16; et al: Education)7, am & psd 706, 736, S nonconc 915
- HB 1233, relative to the right of attendance by general court members at legislative proceedings.(Ulery, Hills. 37; et al: Legislative Administration)7, K 437
- HB 1234, relative to the seal of the general court. (Ulery, Hills. 37; et al: Legislative Administration)
 7, K 437
- HB 1235, relative to stalking. (Luther, Belk. 3; et al: Criminal Justice and Public Safety) 7, K 391
- HB 1236, relative to hearings on modifications of parental rights and responsibilities. (Luther, Belk. 3; et al: Children and Family Law)
 - 7, am & psd 684-685, 736, S nonconc 919
- HB 1237, establishing a committee to study the establishment of a conflict management and resolution system for parents and children. (Luther, Belk. 3; et al: Children and Family Law) 7, psd 385, 594, conc S am 1093, enr 1103 (Chapter 209)
- HB 1238, relative to income for purposes of child support. (Luther, Belk. 3; et al: Children and Family Law)7, SO & K 685
- HB 1239, relative to certain terminology in the education statutes. (Ladd, Graf. 4; et al: Education) 8, am 398-401, psd 595, S conc 852, enr am 916, enr 972 (Chapter 84)
- HB 1240, relative to alternatives to the statewide assessment. (Ladd, Graf. 4; et al: Education) 8. K 401

- HB 1241, establishing the alternative motto "scenic" for motor vehicle plates. (Suzanne Smith, Graf. 8; et al: Transportation)8, K 211
- HB 1242, relative to rules of the department of transportation on driveway permits. (D. McGuire, Merr. 21; et al: Public Works and Highways)8, study 448
- HB 1243-FN-L, relative to storm water or sewage penalties. (C. McGuire, Merr. 29; et al: Municipal and County Government)
 - 8, am & Judiciary 229-230, LT 758, died on the table 1237
- HB 1244-L, relative to municipal cemeteries. (C. McGuire, Merr. 29; et al: Municipal and County Government)
 - 8, am 441, psd 596, S conc 853, enr 916 (Chapter 64)
- **HB 1245-FN**, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. (C. McGuire, Merr. 29; et al: Executive Departments and Administration)
 - 8, am 410, psd 595, S conc 851, enr am 853-854, enr 916 (Chapter 63)
- HB 1246-FN, relative to speech-language assistants. (C. McGuire, Merr. 29; et al: Executive Departments and Administration)
 8, am 410-411, psd 595, conc S am 1094, enr 1173 (Chapter 222)
- HB 1247, relative to poker in private residences. (Itse, Rock. 10; et al: Ways and Means) 8, am & psd 677-678, 736, S LT 853, died on the table 1238
- HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings. (Itse, Rock. 10; et al: Children and Family Law)
 - 8, SO & psd 685, 736, S nonconc 919
- HB 1249, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing. (Itse, Rock. 10; et al: Judiciary) 8, K (RC) 553-556
- HB 1250, relative to medical neglect of children. (K. Rice, Hills. 37; et al: Children and Family Law)
 - 8, am 710-711, psd (RC) 712-714, 736, S nonconc 919
- HB 1251-FN-A, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield. (Brewster, Merr. 21; Public Works and Highways)8, K 230
- HB 1252, permitting employers to pay wages to employees weekly or biweekly. (Sanborn, Hills. 41; et al: Labor, Industrial and Rehabilitative Services)
 8, am 598-599, psd 736, S LT 919, died on the table 1238
- HB 1253-L, relative to the removal of land use board members and municipal officers. (Cordelli, Carr. 4; et al: Municipal and County Government)8, K 441
- HB 1254-FN-L, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses. (McConnell, Ches. 12; et al: Ways and Means) 8, K 459
- HB 1255, designating May 19 as a Day of Compassion. (DeSimone, Rock. 14; et al: Executive Departments and Administration)8, K 411
- HB 1256, requiring the attorney general to prepare an inventory of all untested rape kits. (Cushing, Rock. 21; et al: Health, Human Services and Elderly Affairs)8. K 421
- HB 1257, relative to revocation or suspension of a driver's license because of physical impairment. (Leeman, Straf. 23; Transportation)8, K 663

- HB 1258-FN, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire. (Baroody, Hills. 43; et al: Ways and Means)
 8, K 459
- HB 1259, relative to liability for third party review of site plans. (Howard, Belk. 8; et al: Municipal and County Government)8. K 441
- HB 1260, repealing the authority of assessing officials to obtain administrative inspection warrants to complete property appraisals. (Abramson, Rock. 20; et al: Municipal and County Government)8, K 441
- HB 1261, relative to multiple indictments in criminal prosecutions. (Abramson, Rock. 20; et al: Judiciary)
 - 8, vac Criminal Justice and Public Safety 137, rem 383, SO 735, K 793
- HB 1262, relative to the application of zoning ordinances to home-based businesses. (Abramson, Rock. 20; Municipal and County Government)9, K 442
- HB 1263, authorizing municipalities to use form-based codes as an alternative zoning regulation. (Abramson, Rock. 20; Municipal and County Government)
 - 9, rem 383, SO 735, LT 817, died on the table 1237
- HB 1264, relative to carnival or amusement ride inspections. (Saunderson, Merr. 9; et al: Commerce and Consumer Affairs)
 - 9, am 386-387, psd 594, S conc 917, enr am 1068, enr 1103 (Chapter 133)
- HB 1265, permitting municipalities to adopt a system of approval voting. (Schleien, Hills. 37; et al: Election Law)9. K 404
- HB 1266, legalizing firecrackers. (Weyler, Rock. 13; et al: Criminal Justice and Public Safety) 9, am 391, psd 595, S conc 917, enr 1068, veto sustained (RC) 1223-1226
- HB 1267, relative to the family hike safe card for fish and game search and recovery expenses. (Chandler, Carr. 1; et al: Fish and Game and Marine Resources) 9, psd 419, 595, conc S am 922, enr 1099 (Chapter 165)
- HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department. (Chandler, Carr. 1; et al: Fish and Game and Marine Resources) 9, psd 419, 595, conc S am 922, enr 1099 (Chapter 166)
- HB 1269, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission. (Rosenwald, Hills. 30; et al: Health, Human Services and Elderly Affairs)
 - 9, am 421, psd 595, conc S am 923, enr 1099, committee members added 1238 (Chapter 167)
- HB 1270, relative to a jury's determination as to the applicability of a law. (Itse, Rock. 10; et al: Judiciary)
 - 9, am 556-557, psd (RC) 557-560, 597, S nonconc 919
- HB 1271, making certain length and width exemptions concerning commercial vehicles and relative to signs advising motorists approaching emergency vehicles in the breakdown lane. (Gagne, Hills. 13; et al: Transportation)
 - 9, psd 456, 596, conc S am 1097, enr 1173 (Chapter 223)
- HB 1272-FN, relative to bus transportation for chartered public school students. (Prudhomme-O'Brien, Rock. 6; et al: Education)
 - 9, am 231-232, psd 232, 248, conc S am 1081, enr 1173 (Chapter 236)
- HB 1273, requiring a medical care provider to inform a woman who is discovered to have dense breast tissue. (Prudhomme-O'Brien, Rock. 6; et al: Health, Human Services and Elderly Affairs)9, K 421
- HB 1274, establishing a committee to study the efficacy of changes in the community college system of New Hampshire. (Gile, Merr. 27; et al: Education)
 - 9, K (RC) 769-772

- HB 1275, relative to net energy metering capacity. (Mann, Ches. 2; Science, Technology and Energy) 9, K 454
- HB 1276, relative to a taxpayer's application for a property tax abatement. (Brewster, Merr. 21; Judiciary)

9, K 431

- HB 1277, establishing a homestead act. (Brewster, Merr. 21; Municipal and County Government)
 9, K 442
- HB 1278, requiring payment of lawful money to employees. (Brewster, Merr. 21; Labor, Industrial and Rehabilitative Services)

9, K 434

- HB 1279, relative to grounds for termination of parental rights. (Prudhomme-O'Brien, Rock. 6; et al: Children and Family Law)
 - 9, psd 385, 594, S study 919
- HB 1280, relative to grounds for modification of parental rights and responsibilities. (Gargasz, Hills. 27; et al: Children and Family Law)
 - 9, SO & psd 685, 736, S conc 919, enr 1068 (Chapter 134)
- HB 1281, relative to divorce petitions and procedures. (Gargasz, Hills. 27; et al: Judiciary) 9, K 211
- HB 1282, relative to the state building code. (C. McGuire, Merr. 29; et al: Executive Departments and Administration)

9, K (RC) 490-493

- HB 1283, relative to school notification of a change in placement. (Flanagan, Hills. 26; et al: Education)
 - 9, psd 401, 595, S conc 851, enr am 854, enr 916 (Chapter 65)
- HB 1284, relative to highway agents. (D. McGuire, Merr. 21; et al: Municipal and County Government)
 9, K 442
- HB 1285, relative to the donation of food that has passed its expiration date. (D. McGuire, Merr. 21; et al: Health, Human Services and Elderly Affairs)

9, am 421, psd 596, S conc 851, enr 914 (Chapter 38)

- HB 1286, relative to days when fishing without a license is permitted. (Kidder, Merr. 5; et al: Fish and Game and Marine Resources)
 - 9, psd 419, 595, S conc 917, enr 1068 (Chapter 135)
- HB 1287, repealing a provision of the harassment statute. (Berch, Ches. 1; et al: Judiciary) 10, vac Criminal Justice and Public Safety 137, psd 391, 595, S conc 919, enr 1068 (Chapter 136)
- HB 1288, relative to the National Guard force protection policy. (Edelblut, Hills. 38; et al: State-Federal Relations and Veterans Affairs)

10, am 654, psd (RC) 654-656, 736, S nonconc 915

- HB 1289, making technical corrections to certain tax laws. (Major, Rock. 14; et al: Ways and Means) 10, am 459, psd 596, S conc 853, enr am 916, enr 917 (Chapter 85)
- HB 1290, relative to filing dates for business taxes. (Major, Rock. 14; et al: Ways and Means) 10, am 460, psd 596, S conc 853, enr 916 (Chapter 66)
- HB 1291, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. (Eastman, Hills. 28; et al: Resources, Recreation and Development) 10, K 256-257
- HB 1292, relative to the use of abandoned agricultural property. (Haefner, Hills. 37; et al: Environment and Agriculture)
 - 10, Municipal and County Government 254, psd 746, 818, S conc 915, enr 972 (Chapter 86)
- HB 1293, relative to the procedure for charter amendments. (Cheney, Straf. 17; et al: Municipal and County Government)
 - 10, am 442-444, psd 596, S conc 1069, enr am 1103, enr 1171 (Chapter 224)

- HB 1294, relative to exemptions from licensure as a massage therapist. (Wuelper, Straf. 3; et al: Executive Departments and Administration)
 - 10, am 411, psd 595, S conc 917, enr 1068 (Chapter 137)
- HB 1295-FN, eliminating the bureau of certificate of title. (Marple, Merr. 24; et al: Transportation) 10, rem 228, K 248
- HB 1296, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. (Marple, Merr. 24; et al: Municipal and County Government) 10, K 444
- HB 1297, relative to harm to unalienable rights of inhabitants. (Marple, Merr. 24; et al: Criminal Justice and Public Safety) 10, SO 685, K 688
- HB 1298, relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county. (Chandler, Carr. 1; et al: Resources, Recreation and Development)
 - 10, am & Judiciary 332-334, am 745-746, psd 818, conc S am (RC) 1094-1096, enr 1173 (Chapter 278)
- HB 1299, relative to the frequency of background checks for camp employees. (Manley, Hills. 3; et al: Resources, Recreation and Development) 10, K 450
- HB 1300, relative to the content of patriotic exercises in public schools. (Hill, Merr. 3; et al: Education) 10, SO 735, am 772, psd (RC) 772-775, 819, S conc 853, enr 916 (Chapter 67)
- HB 1301, relative to the issuance of youth employment certificates. (Hill, Merr. 3; et al: Labor, Industrial and Rehabilitative Services) 10, am 599-601, psd (RC) 601-603, 736, nonconc S am, conf 924, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 314)
- HB 1302, relative to driver's license requirements for operation of a mixed use school bus. (Jones, Straf. 24: Transportation) 10, psd 456, 596, S conc 919, enr 1068 (Chapter 138)
- HB 1303, establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district. (Weyler, Rock. 13; et al: Education) 10, am 401-402, psd 595, conc S am 922, enr am 1103, enr 1171 (Chapter 225)
- HB 1304, relative to town maintenance of a road designated as a highway to summer cottages. (Sterling, Ches. 14; et al: Municipal and County Government) 10. K 444
- HB 1305, relative to the use of an ignition interlock device. (Tholl, Coos 5; et al: Criminal Justice and Public Safety) 10, am 391, psd 595, S conc 1069, enr 1099 (Chapter 168)
- HB 1306, allowing periodic payments of judgments to include assignment of wages. (Lachance, Hills. 8; et al: Judiciary) 10, K 431
- HB 1307, relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations. (Lachance, Hills, 8; et al: Commerce and Consumer Affairs)
 - 10, psd 387, 594, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 315)
- HB 1308, allowing motorcycles to pass a vehicle in the same lane or travel between lanes of traffic in certain instances. (Lachance, Hills, 8; et al: Transportation) 10, K 457
- HB 1309, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs) 10, K 422

- HB 1310, establishing a commission to study health care for all residents of New Hampshire. (Leishman, Hills. 24; et al: Health, Human Services and Elderly Affairs) 11, study 534
- HB 1311, relative to solitary confinement. (Myler, Merr. 10; et al: Criminal Justice and Public Safety)
 - 11, rem 383, K 707
- HB 1312 not introduced.
- HB 1313-FN, relative to eligibility to vote and relative to availability of voter information. (Gannon, Rock. 4; et al: Election Law)
 - 11, psd 471, 596, S nonconc 853
- HB 1314, limiting the authority of state entities to regulate the sale, use, and possession of firearms.
 (Comeau, Carr. 5; et al: Criminal Justice and Public Safety)
 11, K (RC) 723-725
- HB 1315, adding mixed-use development to the definition of business and industrial facility. (Cheney, Straf. 17; et al: Municipal and County Government)11, psd 444, 596, S conc 822, enr 852 (Chapter 25)
- HB 1316, relative to hospital rates for self-pay patients. (Hunt, Ches. 11; Commerce and Consumer Affairs)
 - 11, psd 387, 594, S conc 919, enr 1068 (Chapter 139)
- HB 1317, renaming the North Hampton state beach as the Robert Shaw Memorial state beach.(Peckham, Rock. 22; et al: Public Works and Highways)11, K 448
- HB 1318, relative to sex offender registration. (Crawford, Carr. 4; et al: Criminal Justice and Public Safety)
 - 11, rem 383, SO 735, LT 794-796, died on the table 1237
- HB 1319, relative to seating assignments of members of the house of representatives. (Patten, Merr. 17; et al: Legislative Administration)
 - 11, K 437
- HB 1320, relative to assignment or transfer of an operating permit issued by the department of environmental services. (Cloutier, Sull. 10; et al: Science, Technology and Energy) 11. K 649
- HB 1321, relative to transportation of alcoholic beverages by a minor. (Hill, Merr. 3; et al: Criminal Justice and Public Safety)
 - 11, SO 685, K 688-689
- HB 1322, relative to reports to the public employee labor relations board. (Hill, Merr. 3; et al: Labor, Industrial and Rehabilitative Services)
 - 11, am 603, psd (RC) 604-606, 736, S nonconc 1070
- HB 1323, relative to nonrenewal of a teacher's contract. (T. Smith, Hills. 17; Education) 11, K 402
- HB 1324, relative to membership of the oversight committee on health and human services. (Brewster, Merr. 21; Health, Human Services and Elderly Affairs)
 - 11, K 422
- HB 1325, relative to the election of chairs of house standing policy committees. (Brewster, Merr. 21; Legislative Administration)
 - 11. K 437
- HB 1326, prohibiting the general court from filing legislation in the second year of the session. (Brewster, Merr. 21; Legislative Administration)
 - 11, K 438
- HB 1327, relative to the statute of limitations for continuing violations of trespass. (Brewster, Merr.
 - 21; Criminal Justice and Public Safety)
 - 11, K 392

- HB 1328, limiting pregnancy terminations to pregnancies of 20 weeks or less. (Hagan, Rock. 4; et al: Judiciary)
 - 11, K (RC) 560-562
- HB 1329, relative to transportation of alcoholic beverages. (Zaricki, Hills. 6; et al: Commerce and Consumer Affairs)
 - 11, rem 383, am & psd 706-707, 736, S conc 915, enr 972 (Chapter 108)
- HB 1330, appointing a former prisoner to the interbranch criminal and juvenile justice council. (Theberge, Coos 3; et al: Criminal Justice and Public Safety) 11, SO 685, K 689
- HB 1331, relative to the membership of the compensation appeals board. (Golev. Hills, 8: Labor. Industrial and Rehabilitative Services)
 - 11, am 434-435, psd 596, S conc 915, enr am 917, enr 1068 (Chapter 140)
- HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee. (Spang, Straf. 6; et al: Resources, Recreation and Development) 11, am 450, psd 596, S conc 851, enr am 854, enr 916, committee membership amended 1238 (Chapter 68)
- HB 1333, requiring that courts provide jurors with information regarding the authority of the position of juror. (Hoell, Merr. 23; et al: Judiciary) 11, K 431
- HB 1334 not introduced.
- HB 1335-FN, relative to state testing of law enforcement officers for steroid use. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety) 12, SO 685, K 689
- HB 1336-FN-L, relative to interest on abatements of taxes. (Fromuth, Hills. 7; et al: Municipal and County Government) 12, K 444
- HB 1337, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. (Fisher, Belk. 9; et al: Science, Technology and Energy) 12, K 257
- HB 1338, relative to student exemption from the statewide assessment. (Hoell, Merr. 23; et al: Education)
 - 12, SO 735, psd (RC) 775-778, 819, S nonconc 919
- HB 1339, relative to the corporate governance annual disclosure act and relative to compensation of ski area employees. (Butler, Carr. 7; et al: Commerce and Consumer Affairs) 12, SO 685, am & psd 686-687, 736, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180, enr 1192 (Chapter 316)
- HB 1340, relative to producer licensing. (Butler, Carr. 7; et al: Commerce and Consumer Affairs) 12, SO 685, psd 687, 736, S conc 915, enr 972 (Chapter 109)
- HB 1341, relative to employee payments to unions. (Martin, Merr. 23; Labor, Industrial and Rehabilitative Services) 12, study 435
- HB 1342, prohibiting the use of certain information to underwrite insurance. (Hatch, Coos 6; et al: Commerce and Consumer Affairs)
 - 12, SO 685, K 687
- HB 1343, prohibiting the retroactive application of the sex offender registry. (C. Chase, Ches. 8; et al: Criminal Justice and Public Safety)
- HB 1344, prohibiting the sale or possession of sky lanterns. (Richardson, Coos 4; et al: Criminal Justice and Public Safety) 12, K 392

HB 1345, repealing the age limit for sheriffs. (Richardson, Coos 4; et al: Municipal and County Government)

12, K 210

HB 1346, relative to minimum wage for tipped employees. (Cilley, Straf. 4; et al: Labor, Industrial and Rehabilitative Services)

12, K (RC) 606-608

- HB 1347, establishing a committee to study sharing the road with bicycles and motorcycles. (Luneau, Merr. 10, Myler, Merr. 10; et al: Transportation)12, K 457
- HB 1348, repealing the exemption for certain transactions under the consumer protection act. (Luneau, Merr. 10; et al: Commerce and Consumer Affairs)12, K (RC) 717-720
- HB 1349, relative to the Merrimack county superior court. (Schuett, Merr. 20; et al: Public Works and Highways)12, am & psd (RC) 623-628, 736, S conc 917, enr am 918, enr 1068 (Chapter 141)
- HB 1350, relative to allodial rights and violations of the oath of office. (Marple, Merr. 24; et al: Judiciary) 12, rem 209, SO 219, K 235
- *HB 1351*, relative to the laws governing chartered public schools. (Horrigan, Straf. 6; et al: Education) 12, K 253
- HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. (Byron, Hills. 20; et al: Special Committee on Public Employee Pension Plans)
 - 12, am & Finance 257-258, ref waived 319, psd 319, S conc 915, enr 972 (Chapter 110)
- HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. (Byron, Hills. 20; Criminal Justice and Public Safety)
 12, am 392, psd 595, conc S am 922, enr 1099 (Chapter 169)
- HB 1354, establishing a committee to study livestock and meat inspection. (Bixby, Straf. 17; et al: Environment and Agriculture)
 - 12, am 407-408, psd 595, S conc 1069, enr am &, enr 1103 (Chapter 210)
- HB 1355, relative to poultry producers exempted from meat inspection requirements. (Bixby, Straf. 17; et al: Environment and Agriculture)
 - 12, psd 408, 595, S conc 822, enr 852 (Chapter 26)
- HB 1356, relative to construction of the terms "resident," "inhabitant," "residence," and "residency." (Bates, Rock. 7; et al: Election Law)
 - 12, am 471-472, psd 472, 596, S LT 1069, died on the table 1238
- HB 1357, relative to the duties of the department of cultural resources. (Danielson, Hills. 7; et al: Executive Departments and Administration)
 - 12, am 411-412, psd 595, S conc 919, enr am 1068, enr 1103 (Chapter 142)
- HB 1358, regulating engine idling of certain vehicles. (Danielson, Hills. 7; et al: Transportation) 12, K 663
- HB 1359, relative to the tax credit for service-connected disability. (Estevez, Hills. 37; et al: Municipal and County Government)
 - 13. rem 383, SO 735, LT 817, died on the table 1237
- HB 1360-FN, establishing a credit against business profits taxes for media production expenditures in New Hampshire. (Eastman, Hills. 28; et al: Ways and Means)
 - 13, LT 678, died on the table 1237
- HB 1361, relative to service of process by attorneys and justices of the peace. (Hull, Graf. 9; Judiciary)
 - 13, K 562-563
- HB 1362, requiring telephone notice where an electrical outage is expected to exceed 4 hours. (Hull, Graf. 9; Science, Technology and Energy)13. K 454

HB 1363, relative to filling of vacancies in town offices. (Hull, Graf. 9; Municipal and County Government)

13, K 445

- HB 1364, relative to the membership of the cooperative school district budget committee. (Hull, Graf. 9; et al: Education) 13, K 402
- HB 1365, requiring public schools to observe New Hampshire constitution day. (Prudhomme-O'Brien, Rock. 6; et al: Education) 13, SO 735, K (RC) 778-780
- HB 1366, relative to the definition of educational competencies. (Hoell, Merr. 23; et al: Education) 13, K 402-403
- HB 1367, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid. (Oxenham, Sull. 1; et al: Science, Technology and Energy) 13, K 454
- HB 1368-FN, requiring firearms owners to have liability insurance. (Rogers, Merr. 28; et al: Commerce and Consumer Affairs) 13, K (RC) 362-364
- HB 1369, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public. (Robertson, Ches. 6; et al: Criminal Justice and Public Safety) 13, K 392
- HB 1370, relative to termination of tenancy. (Groen, Straf. 10; Judiciary) 13, rem 383, am & psd 708, 736, S nonconc 919
- HB 1371, establishing a committee to study education savings accounts for families of special needs students. (Cordelli, Carr. 4; et al: Education) 13, SO 735, study 781
- HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom. (Cordelli, Carr. 4; et al: Education) 13, am 403, psd 595, S conc 915, enr 972 (Chapter 87)
- HB 1373-FN, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs) 13, K 255
- HB 1374, relative to rebates to ratepayers from the renewable energy fund. (Notter, Hills. 21; et al: Science, Technology and Energy) 13, K (RC) 649-652
- HB 1375, relative to deliberative sessions in political subdivisions that have adopted official ballot voting. (Ammon, Hills. 40; et al: Municipal and County Government) 13, psd 230, 248, nonconc S am 1093
- HB 1376, relative to temporary workers. (Cahill, Rock. 17; et al: Labor, Industrial and Rehabilitative Services)

13, K 608-609

- HB 1377, relative to receipt of absentee ballots. (Fields, Belk. 4; et al: Election Law) 13, am 405, psd 595, nonconc S am, conf 924, 1099, rep adop 1151, 1160, enr am 1180-1181, enr 1192 (Chapter 317)
- HB 1378, relative to disabled voters requiring assistance. (Fields, Belk. 4; Election Law) 13, am 405, psd 595, S conc 915, enr 972 (Chapter 88)
- HB 1379, amending the requirement to use English in schools. (Ammon, Hills. 40; et al: Education) 13, K 403
- HB 1380, relative to duties of police commissions. (Gray, Straf. 8; Municipal and County Government) 13. K 445

- HB 1381-FN, relative to the sale of smoke bombs. (L. Christiansen, Hills. 37; et al: Criminal Justice and Public Safety)
 - 13, am 392-393, psd 595, S nonconc 917
- HB 1382, relative to the referendum procedure for public water systems. (Cheney, Straf. 17; et al: Municipal and County Government)
 - 13, psd 618-619, 736, S nonconc 1070
- HB 1383, repealing the penalty for carrying away seaweed at night. (Abramson, Rock. 20; et al: Fish and Game and Marine Resources)13, K 419
- HB 1384, clarifying powers of commissioners of deeds. (Abel, Graf. 13; et al: Municipal and County Government)14, K 445
- HB 1385-FN-A, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business. (Lovejoy, Rock. 36; et al: Ways and Means)
 - 14, am 460-461, psd 596, nonconc S am, conf 1078, S rej conf 1100
- HB 1386-FN, establishing a process for petitions for redress of grievance. (Brewster, Merr. 21; Legislative Administration) 14, K 438
- HB 1387, relative to vacancies in county offices. (Welch, Rock. 13; et al: Election Law) 14, K 405
- HB 1388-FN, expanding crossbow use into muzzleloader season. (Spillane, Rock. 2; et al: Fish and Game and Marine Resources)
 - 14, psd 419, 595, S conc 822, enr am 852, enr 856 (Chapter 27)
- HB 1389, prohibiting a town meeting from materially changing a petitioned warrant article in a town that has adopted the official ballot referendum form of meeting. (Spillane, Rock. 2; et al: Municipal and County Government)
 14, rem 228, K 247
- HB 1390, relative to municipal authority to restrict where registered sex offenders live. (Webb, Rock. 6; et al: Municipal and County Government)
 14, K 445
- HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels. (Webb, Rock. 6; et al: Ways and Means)14. psd 461, 596, S conc 917, enr am 1068, enr 1099 (Chapter 170)
- HB 1392-L, relative to notice of land use violations and court costs in cases brought by a municipality. (L. Turcotte, Straf. 4; et al: Municipal and County Government)
 14, K 445-446
- HB 1393, requiring the department of education to report statewide assessment results for school districts receiving certain state aid. (Weyler, Rock. 13; et al: Education) 14, SO 735, K (RC) 781-783, recon rej 816
- HB 1394, relative to the appropriation for developmental services. (Weyler, Rock. 13; et al: Health, Human Services and Elderly Affairs)
 14, am 422, psd 596, S conc 919, enr 1068 (Chapter 143)
- HB 1395, relative to municipal electronic records. (C. McGuire, Merr. 29; et al: Municipal and County Government)14. am 446, psd 596, conc S am 1094, enr 1173 (Chapter 226)
- HB 1396, relative to OHRV operation on certain highways in Grafton county and establishing a commission to study OHRV usage and the allocation of law enforcement and emergency response resources and responsibilities. (D. Brown, Graf. 16; et al: Transportation) 14, psd 457, 596, nonconc S am, conf 1077, 1099, conferee change 1104, rep adop 1151, 1160, enr am 1181, enr 1192, (Chapter 318)

- HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Irwin, Sull. 9; et al: Public Works and Highways)
 - 14, psd 448, 596, conc S am 826, enr 856 (Chapter 28)
- HB 1398, establishing a commission to study septic sludge spreading. (Irwin, Sull. 9; et al: Environment and Agriculture)
 14, K 408
- HB 1399-FN, requiring licensure of outpatient abortion clinics. (Souza, Hills. 43; et al: Judiciary) 14, K (RC) 563-565
- HB 1400, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license. (Hoell, Merr. 23; et al: Criminal Justice and Public Safety) 14, K (RC) 726-728
- HB 1401, relative to public libraries. (Vose, Rock. 9; et al: Municipal and County Government) 14, K 619
- HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr. 23; et al: Municipal and County Government)
 14, LT 240-241, died on the table 1237
- **HB 1403**, relative to reinsurance. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs) 14, psd 387-388, 594, S conc 919, enr 1068 (Chapter 144)
- HB 1404-FN, relative to certain positions in the insurance department. (Butler, Carr. 7; et al: Executive Departments and Administration)
 15, am & Finance 254, psd 742, 818, nonconc S am, conf 1073, 1100, rep not filed 1237
- HB 1405, repealing the prohibition on after market tinted glass in motor vehicles. (Borden, Rock. 24; Transportation)15, K 457
- HB 1406, establishing a commission to study the termination of Medicaid benefits when a person enters certain state institutions or county correctional facilities. (Snow, Hills. 42; et al: Health, Human Services and Elderly Affairs) 15, study 422
- HB 1407, establishing a property tax credit for persons providing certain home health care services for a family member. (B. Tilton, Ches. 12; et al: Municipal and County Government) 15, K 446
- HB 1408-FN, relative to a school building inventory. (Ladd, Graf. 4; et al: Education) 15, psd 403, 595, S nonconc 919
- HB 1409, relative to life, accident, and health insurance. (Hunt, Ches. 11, Flanders, Belk. 3; et al: Commerce and Consumer Affairs)
 15, am 388, psd 594, S conc 915, enr 972 (Chapter 111)
- HB 1410, relative to motor vehicle coverage. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)
 - 15, am 388, psd 594, S conc 915, enr 972 (Chapter 112)
- HB 1411, making civics mandatory in public schools. (Estevez, Hills. 37; et al: Education) 15, K 403
- HB 1412-FN, relative to duties of the public utilities commission. (Oxenham, Sull. 1; et al: Science, Technology and Energy)
 15. K 334
- HB 1413, establishing a commission to study processes to resolve right-to-know complaints. (Souza, Hills. 43; et al: Judiciary)15, K 431
- HB 1414, repealing the home education advisory council. (Hoell, Merr. 23; et al: Education) 15, rem 383, SO 735, K (RC) 799-801

- HB 1415, relative to escape from official custody. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)
 - 15, psd 393, 595, conc S am 922, enr 1099 (Chapter 171)
- HB 1416-FN, relative to funding for state criminal background checks. (Rogers, Merr. 28; et al: Executive Departments and Administration)
 15, K 277
- HB 1417, relative to records of convenings of public bodies. (Sylvia, Belk. 6; et al: Judiciary) 15, K (RC) 565-568
- HB 1418-L, relative to the minutes of nonpublic sessions of public bodies. (Sylvia, Belk. 6; et al: Judiciary)
 - 15, psd 432, 596, S conc 822, enr 852 (Chapter 29)
- HB 1419, relative to voting records in nonpublic sessions of public bodies. (Sylvia, Belk. 6; et al: Judiciary)
 - 15, psd 432, 596, S conc 822, enr 856 (Chapter 30)
- HB 1420, relative to controlled drug prescription health and safety information. (J. Ward, Rock. 19; et al: Health, Human Services and Elderly Affairs) 15, am 534-535, K (RC) 535-537
- HB 1421-FN, relative to exemptions from certificate of title for a vehicle. (Ammon, Hills. 40; et al: Transportation)
 15. K 457
- HB 1422-FN, creating an exemption from the business profits tax for new businesses in New Hampshire. (Estevez, Hills. 37; et al: Ways and Means)
 15. rem 384. K 708
- HB 1423-FN, relative to rulemaking for prescribing controlled drugs. (Rosenwald, Hills. 30; et al: Health, Human Services and Elderly Affairs)
 - 15, am 422-425, psd 596, conc S am 923, enr 1103 (Chapter 213)
- HB 1424-FN, establishing an office of program evaluation and government accountability. (Hannon, Straf. 25; et al: Executive Departments and Administration)
 15, K 412
- HB 1425-FN, restricting the use of food stamps in convenience stores. (Leeman, Straf. 23; Health, Human Services and Elderly Affairs)
 15, K 425
- HB 1426-FN, relative to earned time credits for prisoners participating in educational programming. (Welch, Rock. 13; et al: Criminal Justice and Public Safety)
 - 15, am 393-394, psd 595, conc S am 922, enr 1099 (Chapter 172)
- HB 1427-FN-A-L, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. (Cushing, Rock. 21; et al: Municipal and County Government)
 16, K 211
- HB 1428-FN-A-L, establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program, making an appropriation to the police standards and training council, repealing the police standards and training council training fund, making a capital appropriation to the police standards and training council, adding a quorum requirement to the performance audit and oversight committee, relative to liquor commission revenue shortfalls, and relative to the rivers management and protection program. (Buco, Carr. 2; et al: Finance)
 - 16, am 497-498, psd 498, 597, nonconc S am, conf 1074, 1100, rep adop 1152, 1160-1161, enr am 1181, enr 1235 (Chapter 319)
- HB 1429, relative to the use of microbeads in personal care products and over-the-counter drugs.(Pearson, Ches. 4; et al: Health, Human Services and Elderly Affairs)16, K 425

- HB 1430-FN, relative to operation of compact utility tractors. (L. Turcotte, Straf. 4; et al: Transportation)
 - 16, am & Finance 242, ref waived 379, psd 594, conc S am 1097, enr am 1173, enr 1177 (Chapter 260)
- **HB 1431**, relative to academic freedom and whistleblower protection. (Edelblut, Hills. 38; et al: Education)

16, K 403

- HB 1432-FN, including the legislature as a public employer under the public employee labor relations act. (Cushing, Rock. 21; et al: Legislative Administration) 16, K 438
- HB 1433-FN, establishing the office of ombudsman in the department of state. (Itse, Rock. 10; et al: Executive Departments and Administration)16, study 493
- HB 1434-FN, relative to out-of-home placements under the child protection act. (Itse, Rock. 10; et al: Children and Family Law)
 16, am & Criminal Justice and Public Safety 251, ref waived 331, psd 377, S nonconc 915
- HB 1435, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Leeman, Straf. 23; et al: Criminal Justice and Public Safety) 16, K (RC) 689-691
- HB 1436-FN, relative to exemption from the yield tax on timber for clearing for solar energy. (Townsend, Graf. 11; et al: Ways and Means)
 16. K 461
- HB 1437, relative to health insurance fraud and abuse reporting. (Sad, Ches. 1; Commerce and Consumer Affairs)
 16, K 388
- HB 1438-FN-L, relative to the registration of antique trailers. (D. McGuire, Merr. 21; et al: Transportation)

16, psd 212, 219, S conc 819, enr 851 (Chapter 16)

- HB 1439-L, requiring regional planning commissions to file an annual report. (McConnell, Ches. 12; et al: Municipal and County Government)16, K 446
- HB 1440-FN, relative to certification for solid waste operators. (Manley, Hills. 3; et al: Environment and Agriculture) 16, K (RC) 480-482
- HB 1441-FN, requiring business impact notes for proposed legislation. (Sanborn, Hills. 41; et al: Legislative Administration) 16, study 438
- HB 1442-FN, relative to objections to proposed agency rules under the administrative procedure act. (Sanborn, Hills. 41; et al: Executive Departments and Administration) 16, K 493
- HB 1443-FN, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing. (Almy, Graf. 13; et al: Ways and Means) 16, K (RC) 678-681
- HB 1444-FN-A, relative to the rate of the insurance premium tax. (Almy, Graf. 13; et al: Commerce and Consumer Affairs)
 16, K (RC) 365-367
- HB 1445-FN, relative to tinted windows on motor vehicles. (Tamburello, Rock. 5; et al: Transportation) 16, psd 663-664, 736, S nonconc 917
- HB 1446, relative to enforcement of the prohibition on the use of mobile electronic devices while driving. (Tamburello, Rock. 5; et al: Transportation)16, K (RC) 242-245

- HB 1447-FN, relative to child support paid through the department of health and human services. (Tamburello, Rock. 5; et al: Finance) 17, K 414
- HB 1448, relative to contact between a plaintiff and defendant subject to a protective order. (Scontsas, Hills. 30; et al: Judiciary)
 - 17, vac Criminal Justice and Public Safety 137, K 692
- HB 1449-FN, relative to additional temporary supplemental allowances for retired members of the retirement system. (Elliott, Rock. 8; Special Committee on Public Employee Pension Plans) 17, study 454
- HB 1450, relative to risk-based capital for insurers. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs)
 - 17, psd 388, 594, S conc 915, enr 972 (Chapter 113)
- HB 1451-FN, relative to the annulment of certain criminal offenses. (Parison, Hills. 25; et al: Criminal Justice and Public Safety)
 - 17, am & psd 692, 736, S conc 915, enr 972 (Chapter 89)
- HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials. (Steven Smith, Sull. 11; Transportation)
 - 17, psd 457, 596, S conc 919, enr 1068 (Chapter 145)
- HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis. (Luneau, Merr. 10; et al: Health, Human Services and Elderly Affairs)
 17, psd (RC) 537-540, 597, S conc 1069, enr 1099 (Chapter 173)
- HB 1454, establishing a committee to determine a process for inhabitants of the state to effectuate the protections of Article 14. (Marple, Merr. 24; et al: Legislative Administration) 17. K 438
- HB 1455, relative to the application of the municipal budget law to village districts wholly within a town. (Bickford, Straf. 3; et al: Municipal and County Government) 17, am & psd 619-620, 736, S nonconc 1070
- HB 1456, relative to chartered public school boards. (Horrigan, Straf. 6; et al: Education) 17, K 403
- HB 1457, establishing a code of professional ethics for New Hampshire teachers. (Ladd, Graf. 4; et al: Education)
 17, study 404
- HB 1458, relative to social media policies for educational institutions. (Seaworth, Merr. 20; et al: Education)
 17. K 404
- HB 1459, relative to commercial coverage. (Hunt, Ches. 11; et al: Commerce and Consumer Affairs) 17. am 388-389, psd 594, S conc 915, enr 972 (Chapter 115)
- HB 1460, relative to perambulation of town boundaries. (Hunt, Ches. 11; et al: Municipal and County Government)17, K 446
- HB 1461, relative to the definition of and criteria for protection instream flow. (Mullen, Straf. 1, Spang, Straf. 6; et al: Resources, Recreation and Development)
 - 17, am 450, psd 596, conc S am 1096, enr am 1175, enr 1182 (Chapter 286)
- *HB 1462*, relative to the height of a motor vehicle body and chassis. (Byron, Hills. 20; Transportation) 17, K 457
- HB 1463, relative to mandatory vaccines. (Burt, Hills. 39; et al: Labor, Industrial and Rehabilitative Services)17, study 435
- HB 1464-FN, relative to monitoring visits to child day care agencies. (Burt, Hills. 39; et al: Health, Human Services and Elderly Affairs)
 17, K 425

- HB 1465, relative to recording of roll calls of legislative committees. (Hannon, Straf. 25; et al: Legislative Administration) 17, K 438-439
- HB 1466, relative to labeling requirements for certain homestead food operations. (Hannon, Straf. 25; Environment and Agriculture)
 17, rem 383, K 707
- HB 1467, relative to notice of village district elections. (Bates, Rock. 7; Election Law) 17, am 405, psd 595, S conc 915, enr 972 (Chapter 116)
- HB 1468, relative to sessions for correction of the checklist. (Bates, Rock. 7; Election Law) 17, am 472, psd 472, 596, S conc 1069, enr 1099 (Chapter 174)
- HB 1469, relative to the restriction of drivers' licenses for nonpayment of child support. (Eastman, Hills. 28; et al: Transportation)17. K 457
- HB 1470-FN, permitting additional site evaluation committee membership from towns or cities affected by an application. (Hull, Graf. 9; et al: Science, Technology and Energy) 17, K 652
- HB 1471, relative to parental rights. (Hoell, Merr. 23; et al: Children and Family Law) 17, psd (RC) 714-716, 736, S nonconc 919
- HB 1472, relative to the siting of certain new pipelines and storage vessels. (McConnell, Ches. 12; et al: Science, Technology and Energy) 17, K 454
- HB 1473, relative to small loans. (Jones, Straf. 24; Commerce and Consumer Affairs) 17, K 389
- HB 1474, requiring the collection of data relative to firearm related deaths and injuries. (Rogers, Merr. 28; et al: Executive Departments and Administration)
 18, vac Criminal Justice and Public Safety 137, K (RC) 692-695
- HB 1475-FN-A, establishing a death benefit for a school employee killed in the line of duty. (Rogers, Merr. 28; et al: Finance)18, K (RC) 498-501
- HB 1476, relative to prohibitions on the employment of youth. (Hoell, Merr. 23; et al: Labor, Industrial and Rehabilitative Services)
 18, K 435
- HB 1477, relative to the grace period for motor vehicle inspections. (D. McGuire, Merr. 21; et al: Transportation)

18, psd 211, 219, S study 1069

- HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. (Williams, Hills. 4; et al: Commerce and Consumer Affairs) 18, SO 685, psd 687, 736, S study 919
- HB 1479, establishing a broadband study committee. (Townsend, Graf. 11; et al: Science, Technology and Energy)18, K 652-653
- HB 1480-FN, establishing a state minimum wage. (Butler, Carr. 7, Berch, Ches. 1; et al: Labor, Industrial and Rehabilitative Services)
 18, K (RC) 609-612
- HB 1481, relative to the qualifications of jurors. (Sylvia, Belk. 6; Judiciary) 18, K 568
- HB 1482, relative to the Interstate Voter Registration Crosscheck Program. (Backus, Hills. 19; et al: Election Law)
 - 18, am 473, psd (RC) 473-476, 596, S conc 1069, enr 1099 (Chapter 175)
- HB 1483, relative to community renewable energy. (Oxenham, Sull. 1; et al: Science, Technology and Energy)

18, K 454

HB 1484, relative to the election of members of the state board of education. (Cordelli, Carr. 4; et al: Education) 18, SO 735, K 784

- HB 1485, relative to private rights of action under the pupil safety and violence prevention act. (McBeath, Rock. 26; et al: Education) 18. K 253
- HB 1486, relative to membership of the state house bicentennial commission. (Cushing, Rock. 21; Legislative Administration)

18, psd 439, 596, conc S am 923, enr 1103, committee membership amended 1238 (Chapter 146)

- HB 1487 not introduced.
- HB 1488, establishing a commission to review and make recommendations for the recodification of RSA 284 and RSA 287-D. (D. Sullivan, Hills. 42; Ways and Means) 18. K 461
- HB 1489, establishing a committee to study the rates of employer contributions in the retirement system. (Kurk, Hills. 2; Special Committee on Public Employee Pension Plans) 18, K 455
- HB 1490, relative to collaborative practice between pharmacists and health care practitioners and relative to certain drug take-back programs. (MacKay, Merr. 14; et al: Health, Human Services and Elderly Affairs)

18, psd 426, 596, conc S am 923, enr 1099 (Chapter 214)

- HB 1491, relative to trust fund interest. (Kurk, Hills. 2; Commerce and Consumer Affairs) 18, K 389
- HB 1492, regarding individual privacy when law enforcement agencies use body-worn cameras. (Kurk, Hills. 2; Criminal Justice and Public Safety) 18. K 394
- HB 1493, relative to ownership of DNA. (Kurk, Hills. 2; et al: Judiciary) 18, am 568, psd 568, 597, S study 919
- HB 1494, relative to the expectation of privacy in personal information. (Kurk, Hills. 2; Judiciary) 18, K 432
- HB 1495-FN-L, relative to insurance incentives to lower costs of health care. (Kurk, Hills. 2; et al: Commerce and Consumer Affairs) 18, rem 250, K 376
- HB 1496, relative to the expectation of privacy in personal materials. (Kurk, Hills. 2; Judiciary) 18, K (RC) 568-571
- HB 1497, relative to the limits on disclosure of information used on college entrance exams. (Kurk, Hills. 2; Education)
 - 18, rem 383, SO 735, psd 802, 819, S conc 853, enr 916 (Chapter 69)
- HB 1498, repealing the prohibition on certain gambling. (Ammon, Hills. 40; et al: Ways and Means) 18, K 461
- HB 1499-FN, relative to certificates for rabies vaccination of dogs, cats, or ferrets. (Ammon, Hills. 40; et al: Environment and Agriculture) 18, K 482

- HB 1500, relative to default budgets for the purpose of setting tax rates. (Ammon, Hills. 40; et al: Municipal and County Government) 18, K (RC) 620-623
- HB 1501, relative to qualifying medical conditions for the use of cannabis. (Wright, Carr. 8; et al: Health, Human Services and Elderly Affairs) 19, K 426
- HB 1502, establishing a committee to study odor emissions from landfills. (Massimilla, Graf. 1; et al: Science, Technology and Energy) 19, K 454

- HB 1503, relative to distributing campaign materials at the polling place, relative to health and dental benefits for temporary, seasonal, and part-time state employees, and relative to administration of the tobacco tax. (Fields, Belk. 4; et al: Election Law)
 19, psd 406, 595, nonconc S am, conf 1073, 1100, conferee change 1104, rep adop 1152, 1161.
 - 19, psd 406, 595, nonconc S am, conf 1073, 1100, conferee change 1104, rep adop 1152, 1161, enr am 1181, enr 1192 (Chapter 320)
- HB 1504-FN-L, relative to the execution of a real estate tax lien on a primary residence. (Hoell, Merr. 23; et al: Municipal and County Government) 19, K 446-447
- HB 1505, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax. (Cushing, Rock. 21; Municipal and County Government)
 19, K 211
- HB 1506, establishing a committee to study the use of solitary confinement in New Hampshire.(Edwards, Hills. 11; et al: Criminal Justice and Public Safety)19. K 394
- HB 1507, amending the procedures for the use of solitary confinement and establishing a committee to study the use and effectiveness of solitary confinement in New Hampshire. (Edwards, Hills. 11; et al: Criminal Justice and Public Safety)
 19, K 394-395
- HB 1508, allowing public libraries to run certain privacy software. (Ammon, Hills. 40; et al: Municipal and County Government)
 19, am & psd 623, 736, S study 1069
- HB 1509, relative to the definition of "houseboat." (Ammon, Hills. 40; Transportation) 19, K 664
- HB 1510, relative to the review of minutes of nonpublic sessions. (Ammon, Hills. 40; et al: Judiciary) 19, K 432
- HB 1511-FN-L, relative to hours of polling. (Burton, Straf. 6; Election Law) 19, K 406
- HB 1512, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation. (Murphy, Hills. 7; Labor, Industrial and Rehabilitative Services) 19, study 435
- HB 1513, relative to the duties of registers of probate. (Gray, Straf. 8; Municipal and County Government)19, study 447
- HB 1514, relative to the application of nitrogen and phosphorus content fertilizers. (Schroadter, Rock. 17; et al: Environment and Agriculture)19, K 408
- HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. (Schroadter, Rock. 17; et al: Election Law) 19, am 406, psd 595, S conc 915, enr 972 (Chapter 90)
- HB 1516-FN, relative to balance billing. (Luneau, Merr. 10; et al: Commerce and Consumer Affairs) 19, study 389
- HB 1517, relative to temporary seasonal docks. (McConkey, Carr. 3, Chandler, Carr. 1; et al: Resources, Recreation and Development)19, study 633
- HB 1518, relative to village district members of budget committees. (Bates, Rock. 7; Municipal and County Government)19. K 447
- HB 1519, relative to the season for taking bear using dogs set by the executive director of fish and game. (T. Walsh, Merr. 24; Fish and Game and Marine Resources)19, K 419

- HB 1520, relative to the membership of the medical review subcommittee. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)
 19, K 255
- HB 1521, allowing voters to vote for multiple candidates for an office. (Ammon, Hills. 40; et al: Election Law)
 19, K 406
- HB 1522, adopting the Federal Rules of Civil Procedure as law. (Goulette, Hills. 23; Judiciary) 19, K 571
- HB 1523, relative to government construction contracts. (Abramson, Rock. 20; et al: Labor, Industrial and Rehabilitative Services)
 19, study 435
- HB 1524-FN-A, repealing fish and game department authority to establish fees by administrative rulemaking. (Duarte, Rock. 2; et al: Fish and Game and Marine Resources) 19, K (RC) 278-281
- HB 1525-FN, relative to the circumstances that constitute indecent exposure and lewdness. (Gallagher, Belk. 4; et al: Criminal Justice and Public Safety) 19, divide from introduction motion (RC) 28-31, K 395
- HB 1526-FN-L, providing for the election of members of the county convention as a separate county office. (Buco, Carr. 2; et al: Municipal and County Government)
 19. K 230
- HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account. (L. Ober, Hills. 37; et al: Executive Departments and Administration) 20, Finance 277, psd 757, 819, conc S am 1094, enr 1173 (Chapter 237)
- HB 1528-FN, relative to standards for aerobic septic systems. (Pitre, Straf. 2; et al: Environment and Agriculture)
 20. K 482-483
- HB 1529-FN, relative to reporting of felony convictions for voter checklist updates. (Bates, Rock. 7; Election Law)
 20, am 476-477, psd 477, 597, S nonconc 853
- HB 1530-FN-L, relative to mail-in voting. (Rogers, Merr. 28; et al: Election Law) 20, K (RC) 477-479
- HB 1531, permitting the legislature to open the state house on weekends. (Haefner, Hills. 37; et al: Legislative Administration)
 - 20, Finance 256, psd 757, 819, conc S am 1094, enr am 1173-1174, enr 1177 (Chapter 261)
- HB 1532, permitting state or county prisoners to vote by absentee ballot. (P. Schmidt, Straf. 19; et al: Election Law)
 20. K 479
- HB 1533, relative to noise level limitations for permanent machinery. (McConnell, Ches. 12; et al: Municipal and County Government)
 20, K 447
- HB 1534, relative to reports of death of voters and authorizing an electronic poll book trial program.(Bates, Rock. 7; et al: Election Law)20, psd 406, 595, rej & returned/House Rule 35e
- HB 1535-FN, relative to liability for payment of criminal record background checks and drug tests. (Ulery, Hills. 37; Labor, Industrial and Rehabilitative Services) 20, K 435
- HB 1536-FN-A, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. (Brewster, Merr. 21; Resources, Recreation and Development) 20, K 257

- HB 1537-FN, relative to testing for Lyme disease. (P. Brown, Hills. 31; et al: Health, Human Services and Elderly Affairs)
 20. K 426
- HB 1538-FN-A, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure. (Ingbretson, Graf. 15; Ways and Means)
 20, K 461
- HB 1539-FN, relative to procedures for resolving ties in legislative races. (Cushing, Rock. 21; et al: Election Law)
 20, K 406
- HB 1540-FN, relative to direct shipments of beer. (Murphy, Hills. 7; et al: Commerce and Consumer Affairs)20, SO 685, psd 688, 736, S nonconc 917
- HB 1541-FN, prohibiting placement of certain persons with a mental illness in the secure psychiatric unit, and authorizing the commissioner of the department of corrections to seek therapeutic alternatives. (Cushing, Rock. 21; et al: Health, Human Services and Elderly Affairs) 20, study 426
- HB 1542-FN, requiring drug testing of public assistance recipients. (Leeman, Straf. 23; et al: Health, Human Services and Elderly Affairs)
 20. K 426
- HB 1543-FN, relative to prosecutorial misconduct. (Abramson, Rock. 20; et al: Criminal Justice and Public Safety) 20, K 695
- HB 1544-FN-A-L, establishing a tax on revenues from natural gas transmission. (B. Tilton, Ches. 12; Ways and Means)20, K 461
- HB 1545-FN, relative to Lucky 7 tickets. (Infantine, Hills. 13; Ways and Means) 20, study 461-462
- HB 1546-FN, permitting the audio recording of a public servant performing a public function. (Hull, Graf. 9; et al: Criminal Justice and Public Safety)
 20, LT 728-729, remarks printed 729, died on the table 1237
- HB 1547-FN, prohibiting bestiality. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety) 20, am & psd 695-696, 736, nonconc S am, conf 924, 1100, rep adop 1152, 1161, enr am 1182, enr 1192 (Chapter 321)
- HB 1548-FN, prohibiting the trade of shark fins. (Booras, Hills. 33; Commerce and Consumer Affairs) 20, Vac Fish and Game and Marine Resources 31, K 534
- HB 1549-FN, requiring the department of safety to establish a database cataloging certain law enforcement activities. (Ammon, Hills. 40; et al: Criminal Justice and Public Safety) 20, K (RC) 696-699
- HB 1550-FN, relative to the duties of the ombudsman. (Ammon, Hills. 40; et al: Health, Human Services and Elderly Affairs)
 20. K 255
- HB 1551-FN-A, establishing the John and Molly Stark scholarship program and making an appropriation therefor. (Burton, Straf. 6; et al: Education) 21, am & Finance 258-259, study 757
- HB 1552-FN, extending the penalty of death to acts of terrorism and civil rights offenses. (Flanagan, Hills. 26; Criminal Justice and Public Safety)
 21, K 699
- HB 1553-FN, transferring the administration of the telecommunications accounting unit. (L. Ober, Hills. 37; et al: Science, Technology and Energy)
 21, Finance 335, psd 758, 819, S conc 853, enr 1068 (Chapter 147)

- HB 1554-FN, establishing a state sports lottery. (Schroadter, Rock. 17; et al: Ways and Means) 21, K 462
- HB 1555-FN, relative to the manner in which New Hampshire takes possession of land. (McConnell, Ches. 12; et al: Judiciary)

21, K 571

- HB 1556-FN, relative to Lucky 7 tickets. (D. Sullivan, Hills. 42; Executive Departments and Administration) 21, study 255
- HB 1557-FN, relative to alcohol and drug treatment programs. (Kurk, Hills. 2; Health, Human Services and Elderly Affairs)
 - 21, LT 281-282, died on the table 1237
- HB 1558-FN, requiring the university system of New Hampshire to examine the disposition of children in state custody. (Brewster, Merr. 21; Education) 21, K 404
- HB 1559-FN, relative to property taxes paid by education facilities leasing property. (Horrigan, Straf. 6: Municipal and County Government) 21, K 447
- HB 1560-FN, relative to abortion procedures. (Moore, Hills. 21; et al: Judiciary) 21, K (RC) 314-316
- HB 1561-FN, relative to freedom of expression on college campuses. (Edelblut, Hills. 38; et al: Education)

21, study 259

- HB 1562-FN-L, allowing counties to establish heroin use prevention and treatment programs. (Abramson, Rock, 20; et al: Municipal and County Government) 21, K 213
- HB 1563-FN-L, relative to funding for full-day kindergarten pupils. (Luneau, Merr. 10; et al: Education)

21, K (2RCs) 259-264

HB 1564-FN-A, establishing an independent redistricting commission. (Cote, Hills. 31; et al: Election Law)

21, K (RC) 270-273

- HB 1565-FN, relative to transportation companies under the Medicaid managed care program. (Martel, Hills, 44: et al: Health, Human Services and Elderly Affairs) 21. K 255
- HB 1566-FN, relative to out-of-state transportation companies. (Martel, Hills. 44; et al: Health, Human Services and Elderly Affairs) 21, rem 250, K 376
- HB 1567-FN-A, authorizing friends of animal number plates. (Massimilla, Graf. 1; et al: Transportation) 21, K 231
- HB 1568-FN-A, relative to prepaid road tolls for electric vehicles. (F. Tilton, Belk. 3; et al: Public Works and Highways)
 - 21, am & Ways and Means 332, study 746
- HB 1569-FN, relative to volunteers under the department of resources and economic development. (C. Christensen, Hills. 21; et al: Judiciary)
 - 21, am 432-433, psd 596, S nonconc 915
- HB 1570-FN, repealing the law governing access to reproductive health care facilities. (Hoell, Merr. 23; et al: Judiciary)
 - 21, psd (RC) 572-574, 597, recon rej 577, S LT 919, died on the table 1238
- HB 1571-FN, prohibiting the possession, purchase, or sale of equipment used for animal fighting. (Booras, Hills. 33; Environment and Agriculture) 21, K 408

- HB 1572-FN, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax. (Townsend, Graf. 11; et al: Ways and Means) 21, study 462
- HB 1573-FN, relative to brokers arranging transportation for Medicaid patients. (Martel, Hills. 44; et al: Health, Human Services and Elderly Affairs) 21, K 255-256
- HB 1574-FN-A, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. (Tholl, Coos 5; et al: Judiciary) 22, K 256
- HB 1575-FN, prohibiting certain court filing fees. (Brewster, Merr. 21; Judiciary) 22, K 574
- HB 1576-FN-L, repealing the licensure of dogs. (Hull, Graf. 9; et al: Municipal and County Government) 22. K 241
- HB 1577-FN, relative to alternatives to incarceration as a criminal penalty. (Kurk, Hills. 2; Judiciary) 22, K 433
- HB 1578, relative to the maintenance of private roads. (Chirichiello, Rock. 6; et al: Public Works and Highways)
 22, K 448-449
- HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission. (Baroody, Hills. 43; et al: Commerce and Consumer Affairs) 22, psd 389,594, S conc 915, enr 972 (Chapter 91)
- HB 1580-FN, removing the real estate commission from the office of professional licensure and certification. (Baroody, Hills. 43; et al: Executive Departments and Administration) 22, study 412
- HB 1581-FN-A, establishing a special marriage officiant license. (Cushing, Rock. 21; et al: Judiciary) 22, rem 250, K 376-377
- HB 1582-FN, relative to judicial salaries. (Luther, Belk. 3; Judiciary) 22, K 433
- HB 1583-FN, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms. (Massimilla, Graf. 1; et al: Transportation)
 22, study 231
- HB 1584-FN, relative to body-worn cameras for law enforcement officers. (Cushing, Rock. 21; et al: Criminal Justice and Public Safety)
 22, am & Ways and Means 253, psd 746, 818, nonconc S am, conf 924, 1100, rep adop 1152, 1161, enr am 1182, enr 1192 (Chapter 322)
- HB 1585-FN, relative to competitive bidding in Carroll county. (Cordelli, Carr. 4; et al: Municipal and County Government) 22, K 447
- HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.
 (Proulx, Hills. 44; Criminal Justice and Public Safety)
 22, am 395-396, psd 595, S study 917
- HB 1587, relative to limitations on capital reserve funds of counties. (Irwin, Sull. 9; Municipal and County Government)22, psd 447, 596, S conc 915, enr 972 (Chapter 114)
- HB 1588, repealing certain prohibitions on employment of state employees. (Umberger, Carr. 2; et al: Executive Departments and Administration)
 22, am 412-413, psd 595, S conc 917, enr am 1068-1069, enr 1103 (Chapter 148)
- HB 1589-FN, prohibiting the transport of aquatic plants and aquatic weeds. (Gottling, Sull. 2; et al: Resources, Recreation and Development)
 22, am 451-452, psd 596, conc S am 923, enr am 1103, enr 1171 (Chapter 227)

- HB 1590-FN-A-L, relative to taxation of short-term rentals. (Butler, Carr. 7; et al: Commerce and Consumer Affairs)
 - 22, am & Ways and Means (RC) 367-370, psd 746, 818, conc S am 1073, recon (RC) 1074-1076, recon 1076, nonconc S am, conf 1077, 1100, rep adop 1152, (RC) 1161-1163, enr am 1182, enr 1192 (Chapter 323)
- HB 1591-FN-A, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (L. Ober, Hills. 37; et al: Special Committee on Public Employee Pension Plans) 22, Vac Finance 31, am 501-504, psd (RC) 504-507, 597, conflict of interest declared 507, 1074, nonconc S am 1074
- HB 1592-FN, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Kurk, Hills. 2, Weyler, Rock. 13; et al: Public Employee Pension Plans)
 22, Vac Finance 31, K 414
- HB 1593-FN-L, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. (Brewster, Merr. 21; Legislative Administration)
 22. rem 250. K 377
- **HB 1594-FN**, relative to emergency medical services. (White, Graf. 13; et al: Executive Departments and Administration)
 - 22, am & Criminal Justice and Public Safety 255, psd 741, 818, S conc 919, enr 1068 (Chapter 149)
- HB 1595-FN, relative to the rivers management and protection program. (Spang, Straf. 6; et al: Resources, Recreation and Development)
 22, am 452-453, psd 596, conc S am 1096, enr am 1175, enr 1182 (Chapter 287)
- HB 1596-FN-L, changing the marriage license requirement to a requirement that couples obtain a certificate of notice of intent to marry and a certificate of marriage. (Itse, Rock. 10; et al: Judiciary) 23, K 433
- HB 1597-FN, relative to preservation of biological material in a criminal investigation for DNA testing. (Abramson, Rock. 20; et al: (Criminal Justice and Public Safety) 23, K 396
- HB 1598-FN, relative to the penalty for driving while intoxicated, third or subsequent offense. (Estevez, Hills. 37; et al: Criminal Justice and Public Safety)
 23. K 396
- HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.
 (Weyler, Rock. 13; et al: Criminal Justice and Public Safety)
 23, am & psd 699, 736, S conc 915, enr 972 (Chapter 92)
- HB 1600-FN, prohibiting the possession of a flame thrower. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)23, K (RC) 700-702
- HB 1601, relative to certain continuing care communities. (Abel, Graf. 13; et al: Commerce and Consumer Affairs)
 - 23, am 389-390, psd 594, S conc 919, enr 1068 (Chapter 150)
- HB 1602-FN-A-L, establishing a road usage fee and making an appropriation therefor. (Major, Rock. 14; et al: Public Works and Highways)23, study 256
- HB 1603-FN, requiring the registration of drug dealers. (J. Belanger, Hills. 27; et al: Criminal Justice and Public Safety)
 23, K 396
- HB 1604-FN-A-L, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills. (Ladd, Graf. 4; et al: Education)
 - 23, am & Finance 264-265, ref waived 319, psd 319, S nonconc 739

- HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry. (Suzanne Smith, Graf. 8; et al: Health, Human Services and Elderly Affairs)
 - 23, am 540, psd (RC) 541-543, 597, S nonconc 1070
- HB 1606-FN, relative to unlawful sale or possession of alcoholic beverages. (Abramson, Rock. 20; Criminal Justice and Public Safety)
 - 23, K 396
- HB 1607-FN, relative to entering dismissals of cases by nolle prosequi. (Brewster, Merr. 21; Judiciary)
 - 23, K 433
- HB 1608-FN, relative to uniform prior authorization forms. (Fothergill, Coos 1; et al: Commerce and Consumer Affairs)
 - 23, am & psd 720-721, 736, conc S am 1073, enr 1173 (Chapter 228)
- HB 1609 not introduced.
- HB 1610-FN, legalizing the possession and cultivation of marijuana for personal use. (Sylvia, Belk. 6; et al: Criminal Justice and Public Safety)
 - 23, rem 383, SO 735, LT (RC) 796-799, died on the table 1237
- HB 1611-FN-L, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. (P. Long, Hills. 10; Judiciary) 23, K 256
- HB 1612-FN, relative to the age for purposes of compulsory education. (Hoell, Merr. 23; et al: Education)23. K 706
- HB 1613-FN, relative to criminal prosecution for those charged with prostitution. (Hoell, Merr. 23; et al: Criminal Justice and Public Safety)23, K 396
- HB 1614-FN, relative to the criminal penalty for prostitution. (Edwards, Hills. 11; et al: Criminal Justice and Public Safety)
 - 23, LT 729-730, died on the table 1237
- **HB 1615-FN**, regulating the transfer of dogs from out of state. (Gardner, Straf. 15; et al: Environment and Agriculture)
 - 23, study 408-409
- HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Packard, Rock. 5; et al: Transportation)
 - 23, am, LT rej & Ways and Means (3RCs) 342-352, debate printed 352-359, ref waived 362, psd 377, conc S am 895, enr am 916, enr 917 (Chapter 71)
- HB 1617, relative to funding for housing projects by the New Hampshire housing finance authority.(Sad, Ches. 1; et al: Commerce and Consumer Affairs)23, K 390
- HB 1618, relative to debt adjustment services. (Hunt, Ches. 11; Commerce and Consumer Affairs) 23, am 390, psd 594, S conc 915, enr am 918, enr 1068 (Chapter 151)
- HB 1619-FN, relative to the use of narcan. (Hopper, Hills. 2; et al: Health, Human Services and Elderly Affairs)23, study 282
- HB 1620-FN-A, relative to forensic child abuse evaluations and making an appropriation for the training of forensic child abuse specialists. (Brewster, Merr. 21; Children and Family Law) 23, K 228
- *HB 1621-FN-L*, relative to sanctuary cities. (Potucek, Rock. 6; et al: Municipal and County Government) 23, rem 228, LT 247-248, died on the table 1237
- HB 1622-FN, relative to radioactive waste and establishing a nuclear waste storage fee. (Cushing, Rock. 21; et al: Science, Technology and Energy)
 24, K (RC) 335-337

- HB 1623-FN, prohibiting an abortion based on genetic abnormalities. (Cordelli, Carr. 4; et al: Judiciary) 24, K (RC) 574-577
- HB 1624-FN, relative to electioneering by public employees. (Gray, Straf. 8; Election Law) 24, psd 406, 595, S, conc S am 922, enr 1099 (Chapter 176)
- HB 1625-FN, relative to banning abortion after viability. (Murphy, Hills. 7; et al: Judiciary) 24, am 577-578, K (RC) 578-580, recon rej (RC) 580-583
- HB 1626-FN, relative to drug take-back programs. (V. Sullivan, Hills. 16; et al: Criminal Justice and Public Safety)
 24, am & psd 702, 736, S nonconc 917
- HB 1627-FN, relative to the protection of infants born alive. (Groen, Straf. 10; et al: Judiciary) 24, K (RC) 317-319
- HB 1628-FN, relative to human trafficking involving persons under 18 years of age. (Gallagher, Belk. 4; et al: Criminal Justice and Public Safety)
 24, psd 396, 595, conc S am 922, enr 1099 (Chapter 215)
- HB 1629-FN, relative to disqualifying members of certain groups from receiving public assistance.
 (Weyler, Rock. 13; et al: Health, Human Services and Elderly Affairs)
 24, K 543
- HB 1630-FN-L, relative to calculating the base cost of an adequate education. (Ladd, Graf. 4; et al: Education)
 - 24, am & Finance 265-267, K 742
- HB 1631-FN, relative to penalties for possession of marijuana. (Schroadter, Rock. 17; et al: Criminal Justice and Public Safety)
 24, psd (RC) 730-733, 736, S nonconc 915
- HB 1632-FN, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety) 24, K 702-703
- HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation. (Webb, Rock. 6; et al: Labor, Industrial and Rehabilitative Services) 24, am 435-436, psd 596, S study 917
- HB 1634-FN, relative to the penalty for possession, use, or sale of fentanyl. (Estevez, Hills. 37; et al: Health, Human Services and Elderly Affairs)
 24, K 426
- HB 1635-FN, relative to the theft of a firearm during a burglary. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)
 24 K 703
- HB 1636-FN, prohibiting abortions once an unborn child can feel pain. (Groen, Straf. 10; et al: Judiciary)
 - 24, K (RC) 583-585
- **HB 1637-FN**, relative to school attendance in towns with no public schools. (Boehm, Hills. 20; et al: Education)
 - 24, SO 735, am & psd 784-785, 819, nonconc S am, conf 1073, 1100, rep adop 1152, (RC) 1163-1165, enr am 1177, enr 1178, veto sustained (RC) 1226-1229
- HB 1638-FN-L, relative to the allocation of lottery revenues to schools. (Leeman, Straf. 23; et al: Education)
 - 24, LT rej & K 267
- HB 1639-FN, relative to bonds for public employees. (Marple, Merr. 24; et al: Executive Departments and Administration)
 24. K (RC) 493-496
- HB 1640-FN, relative to the expiration of administrative rules. (Hoell, Merr. 23; et al: Executive Departments and Administration)
 24, K 496

- HB 1641-FN-L, relative to requiring prevailing wages on state-funded public works projects. (Cilley, Straf. 4; et al: Labor, Industrial and Rehabilitative Services)
 24, K (RC) 329-331
- HB 1642-FN-L, relative to persons executing election affidavits. (Bates, Rock. 7; et al: Election Law) 24, K 406
- HB 1643 not introduced.
- HB 1644-FN, relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction. (Balcom, Hills. 21; et al: Education)
 - 25, am & Finance (RC) 267-270, am 742-744, psd 818, conc S am 1081, enr am 1174, enr 1177 (Chapter 262)
- HB 1645, relative to carrying a pistol or revolver without a license. (Spillane, Rock. 2; et al: Criminal Justice and Public Safety)
 25, K (RC) 733-735
- HB 1646, relative to the disclosure of felony convictions by individuals seeking an elected office.(Chirichiello, Rock. 6; et al: Election Law)25, K 407
- HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. (Fromuth, Hills. 7; et al: Commerce and Consumer Affairs)
 25, Ways and Means (RC) 370-373, K 747
- HB 1648-FN, relative to sales by pharmacists under the controlled drug act. (J. Ward, Rock. 19; et al: Health, Human Services and Elderly Affairs)
 25. K 426
- *HB 1649-FN*, relative to state inspection of new motor vehicles. (Spillane, Rock. 2; et al: Transportation) 25, K 457
- HB 1650, relative to limits in table stakes poker. (Williams, Hills. 4; et al: Ways and Means) 25, study 462
- HB 1651, relative to the duties of the commission to review child abuse fatalities. (Berrien, Rock. 18; et al: Children and Family Law)25, am 228, psd 248, conc S am 1093, enr 1173 (Chapter 229)
- HB 1652-FN-A, establishing a teacher preparation for mathematics education scholarship program. (Gile, Merr. 27; et al: Education)

25, study 253-254

- HB 1653-FN, establishing a citizen complaint and grievance website. (Brewster, Merr. 21; Legislative Administration)
 25, K 439
- HB 1654-FN, relative to flying a drone above a correctional facility. (Cushing, Rock. 21; et al: Criminal Justice and Public Safety)25, am 397, psd 595, S nonconc 917
- HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

 (D. McGuire, Merr. 21; et al: Transportation)
 - 25, am & Ways and Means 231, am 747, psd 818, S conc 915, enr 972 (Chapter 93)
- HB 1656-FN, relative to exceptions to the real estate transfer tax. (D. McGuire, Merr. 21; et al: Ways and Means)
 - 25, psd 462, 596, nonconc S am, conf 1078, 1100, conferee change 1104, rep adop 1152, (RC) 1166-1168, enr 1182 (Chapter 288)
- HB 1657-FN, prohibiting firearms in certain public places. (Rogers, Merr. 28; et al: Criminal Justice and Public Safety)
 25, K (RC) 703-705
- HB 1658-FN, establishing one-stop business permitting. (Kurk, Hills. 2; Executive Departments and Administration)
 25, study 496

- HB 1659, relative to the implementation of the clean power state implementation plan. (Vose, Rock. 9; et al: Science, Technology and Energy) 25, K 653
- HB 1660-FN-L, relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund. (J. Belanger, Hills. 27; et al: Judiciary)
 - 25, am 585-586, psd (RC) 586-588, 597, nonconc S am, conf 1078, 1100, conferee change 1104, S rej rep 1148
- HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. (Schleien, Hills. 37; et al: Health, Human Services and Elderly Affairs)
 25, rem 383, SO 735, LT rej (RC) 806-808, debate limited (2RCs) 808-813, am 813, psd
 - 25, rem 383, SO 735, LT rej (RC) 806-808, debate limited (2RCs) 808-813, am 813, psd (RC) 813-816, 819, nonconc S am, conf (RC) 1078-1080, 1100, conferee change 1104, rep not filed 1237
- HB 1662-FN, relative to abortion-inducing drugs. (Wuelper, Straf. 3; et al: Health, Human Services and Elderly Affairs)
 25, K 427
- HB 1663-FN, prohibiting buying, selling, and experimenting on unborn infants or bodily remains resulting from abortion. (Souza, Hills. 43; et al: Judiciary) 25, K (RC) 588-590, recon rej 593
- HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies. (Luneau, Merr. 10; et al: Health, Human Services and Elderly Affairs) 25, am 427-428, psd 596, S conc 919, enr am 1069, enr 1099 (Chapter 177)
- HB 1665-FN, adopting the interstate medical licensure compact. (Sherman, Rock. 24, Fothergill, Coos 1; et al: Health, Human Services and Elderly Affairs)
 26, psd 428, 596, S conc 851, enr am 854, enr 916 (Chapter 70)
- HB 1666-FN, relative to certain definitions in the motor vehicles law. (Goulette, Hills. 23; et al: Transportation)
 26, K 231
- HB 1667-FN-L, repealing the statutes authorizing the department of education. (L. Christiansen, Hills. 37; Education)
 26, K 254
- HB 1668-FN, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. (Flanagan, Hills. 26; et al: Health, Human Services and Elderly Affairs)
 26, K 256
- HB 1669-FN, establishing a state procedure for conventions to ratify proposed amendments to the United States Constitution. (Abramson, Rock. 20; Legislative Administration) 26, K 439
- HB 1670-FN, relative to public employee suggestions for cost-savings measures. (Flanagan, Hills. 26; et al: Finance)
 26, K 507
- HB 1671-FN, establishing an office of inspector general. (Marple, Merr. 24; et al: Executive Departments and Administration)
 26, K 255
- HB 1672-FN-A-L, relative to excess federal matching funds, property tax relief, and general fund appropriations. (Brewster, Merr. 21; Ways and Means)
 26, K 258
- HB 1673-FN-L, establishing a cash balance plan within the state retirement system. (Hess, Merr. 24; et al: Special Committee on Public Employee Pension Plans)
 26, LT (RC) 338-342, died on the table 1237

- HB 1674-FN, requiring the labeling of genetically engineered foods. (Abramson, Rock. 20; et al: Environment and Agriculture)
 - 26, K (RC) 273-277
- HB 1675-FN-A, relative to the legalization and taxation of marijuana. (Brewster, Merr. 21; Criminal Justice and Public Safety) 26, K 253
- HB 1676, relative to attachments on benefits under the judicial retirement plan. (Brewster, Merr. 21; Judiciary) 26, K 210
- HB 1677-FN, abolishing the supreme court general counsel position and the judicial council. (Brewster, Merr. 21; Judiciary) 26, conflict of interest declared 209, K 210
- **HB 1678-FN**, relative to the information statement contained on a property tax bill. (Fromuth, Hills. 7; et al: Municipal and County Government) 26, K 623
- HB 1679-FN, relative to electioneering by a public official. (Lachance, Hills. 8; Election Law) 26, K 407
- HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs) 26, am 428, psd 596, conc S am 1094, enr 1103 (Chapter 211)
- HB 1681-FN, establishing a commission on hypodermic syringes and needles. (Hannon, Straf. 25; et al: Health, Human Services and Elderly Affairs) 26, am & Criminal Justice and Public Safety 428-429, psd 765, 819, conc S am 923, enr 1103 (Chapter 212)
- HB 1682-FN, relative to electioneering by public servants and relative to warrant articles. (Hull, Graf. 9; Election Law) 26, K 407
- HB 1683-FN-L, relative to lowering the interest rate and costs for the redemption and repurchase of property subject to a tax lien or tax deed. (Hull, Graf. 9; et al: Municipal and County Government) 26, K 447-448
- HB 1684-FN, prohibiting the use of public funds, employees, and facilities in assisting or performing abortions. (Hoell, Merr. 23; et al: Judiciary) 26, K (RC) 590-593
- HB 1685-FN, relative to mortgage bankers, brokers, and servicers. (Butler, Carr. 7; et al: Commerce and Consumer Affairs) 26, am & Ways and Means 252, psd 747, 818, conc S am 921, enr am 1175-1177, enr 1182 (Chapter 289)
- HB 1686-FN, repealing the community heritage investment program. (Ammon, Hills, 40; et al: Finance) 26, K 507
- HB 1687-L, relative to governmental liability for personal injury on playground structures. (Hopper, Hills. 2, Woodbury, Hills. 5; et al: Judiciary) 26, K 594
- HB 1688-FN-L, relative to governmental liability for negligence claims. (Woodbury, Hills. 5; et al: Judiciary) 26, K 594
- HB 1689, relative to operator requirements under the meals and rooms tax. (Sterling, Ches. 14; et al: Ways and Means) 26, psd 462, 596, S study 851
- HB 1690-FN, extending the New Hampshire health protection program. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs) 27, K (RC) 543-546

- HB 1691-FN, making certain changes to the renewable portfolio standard. (Vose, Rock. 9; et al: Science, Technology and Energy) 27, K 653-654
- HB 1692-FN, revising the procedures relating to parole violation and parole revocation. (Abrami, Rock. 19; et al: Criminal Justice and Public Safety) 27. K 397
- HB 1693-FN-L, abolishing fluoridation in water. (Marple, Merr. 24; et al: Resources, Recreation and Development) 27, rem 250, K 377
- HB 1694-FN-A-L, relative to the legalization and regulation of marijuana. (Hirsch, Merr. 6; et al: Criminal Justice and Public Safety)
 27, K (RC) 373-376
- HB 1695-FN, relative to a health system public data resource for New Hampshire and establishing a special fund, relative to cost effectiveness of programs implemented within state agencies, relative to the use of the lakes region facility property for substance abuse treatment and recovery programs, and relative to record management of abuse and neglect reports. (Sherman, Rock. 24; et al: Health, Human Services and Elderly Affairs)
 - 27, am & Finance 282-285, am 744-745, psd 818, nonconc S am, conf 1077, 1100, rep not filed 1237
- HB 1696-FN, requesting a modification of the New Hampshire health protection program. (Lachance, Hills. 8; et al: Health, Human Services and Elderly Affairs)
 27, am & Finance (7RCs) 285-311, conflict of interest declared 293, 296, 299, 303, 305, 308, 311, 314, remarks printed 308-309, recon rej (RC) 311-314, am & LT rej (4RCs) 507-526, psd (RC) 526-529, 597, recon rej (RC) 529-531, S conc 823, enr am 822, enr 823 (Chapter 13)
- **HB 1697-FN**, relative to the operation and insurance of transportation network companies. (Hunt, Ches. 11; et al: Transportation)
 - 27, am & Commerce and Consumer Affairs 245-247, am & psd 722-723, 736, nonconc S am, conf 1078, 1100, conferee change 1105, rep adop 1152, 1168, enr 1182 (Chapter 290)
- HB 1698-FN, relative to an integrative approach to substance abuse disorders. (V. Fraser, Belk. 1; et al: Health, Human Services and Elderly Affairs) 167, K 429
- HB 1699-FN-A-L, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. (Hinch, Hills. 21; et al: Executive Departments and Administration)
 - 168, am & Finance 278, rem 741, LT 818, died on the table 1237
- HB 1700-FN, relative to abuse-deterrent opioid drug products. (Sherman, Rock. 24; et al: Commerce and Consumer Affairs) 248-249, K 390
- HB 1701-FN, relative to specialty care in drop-in or walk-in clinics. (Hannon, Straf. 25; Health, Human Services and Elderly Affairs)
 248-249, rem 383, SO 735, LT 816, died on the table 1237
- HB 1702, changing certain study committee reporting dates. rules suspended & intro 1108, psd 1108
- HB 1703-FN, relative to brew pub licenses. rules suspended & intro 1145, psd (RC) 1146-1148
- HB 2016, relative to the state 10-year transportation improvement program. (Chandler, Carr. 1; Public Works and Highways)
 219, am (RC) 628-633, psd 633, 736, recon rej (RC) 708-710, print remarks rej (RC) 747-750,
 - noncone S am, conf 1077, 1100, rep adop 1152, 1168, enr am 1182, enr 1192 (Chapter 324)

2016 SESSION HOUSE CONCURRENT RESOLUTIONS

- HCR 10, requesting an investigation on whether benzodiazepines contribute to suicides by veterans. (Abramson, Rock. 20; et al: State-Federal Relations and Veterans Affairs) 27, rem 384, SO 735, LT 817-818, died on the table 1237
- HCR 11, encouraging and commending the governor and council to open meetings of the council with an opening prayer. (Itse, Rock. 10; et al: Executive Departments and Administration) 27, K 413
- HCR 12, urging support of the 65/25 initiative in New Hampshire. (Burton, Straf. 6; Legislative Administration)

27, psd 439, 596, S conc 919, enr am 1069

2016 SESSION HOUSE JOINT RESOLUTIONS

- HJR 3, calling for the investigation and defunding of Planned Parenthood. (Groen, Straf. 10; et al: Health, Human Services and Elderly Affairs)
 27, rem 209, LT rej (RC) 214-216, K (RC) 216-218
- HJR 4-FN-A, recognizing the failure of the clerk of the supreme court to process a notice of errors and requiring payment of certain money to Joseph Haas. (Brewster, Merr. 21; Finance) 27, K 414
- HJR 5-FN-A, making a payment to Joseph Haas for compensation for unlawful incarceration. (Brewster, Merr. 21; Finance) 27, K 414
- HJR 6-FN-A, making a payment to compensate Edward Brown for an illegal action. (Brewster, Merr. 21; Finance)

27, K 414-415

2016 SESSION HOUSE RESOLUTIONS

- HR 16, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that election. (McConnell, Ches. 12; et al: Legislative Administration)
 27, K 439
- HR 17, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan. (Brewster, Merr. 21; Judiciary) 27, K 433
- HR 18, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions. (Brewster, Merr. 21; Judiciary) 27, K 433
- HR 19, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors. (Brewster, Merr. 21; Judiciary) 27, K 433-434
- HR 20, memorializing State Representative Robert Luther of Laconia. 740-741, 818
- HR 21, honoring the victims of Orlando, Florida.
- HR 22, memorializing State Representative Marcia Moody of Newmarket. 1183-1184

2016 SESSION

2015 SENATE BILLS RETAINED OR REREFERRED

- SB 4, relative to eligibility to vote and relative to availability of voter information.
 - 219, am 986-991, psd (RC) 991-993, 1066, S nonconc, conf 1090, rep adop (RC) 1109-1115, S rej rep 1171
- SB 7, adding duties to the joint health care reform oversight committee.

 K 53
- SB 25-FN, relative to the administration of epinephrine. 219, psd 827, 849, enr am 852, enr 914 (Chapter 39)
- SB 45, establishing a committee to study opioid use in workers' compensation cases. am 54-55, psd 116, S nonconc 249
- SB 58, relative to the United States flag worn as a patch.

 K 131
- SB 59, relative to the removal of county officers and temporary filling of the office. (Municipal and County Government)
 379, am 1047-1048, recon & psd 1048, 1067, enr 1099 (Chapter 178)
- SB 64, relative to payment for filling prescriptions and enforcement concerning prices for filling certain prescriptions.

 am 37-38, psd 116, S nonconc 249
- SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts and relative to naming areas of the state house complex.
 - 219, am & psd 1046, 1067, debate printed 1046-1047, S nonconc, conf 1088, conferee change 1105, rep adop 1115-1116, 1171, enr am 1178, enr 1182 (Chapter 291)
- SB 67, establishing a commission to study opioid misuse in New Hampshire. K 53
- SB 75, relative to unfair trade practices targeting veterans. study 68
- SB 110-FN, establishing the administrative supervision act. am 68-69, psd (RC) 69-71, 116, S conc 381, enr am 819, enr 851 (Chapter 17)
- SB 115-FN, relative to the resale of condominium and subdivision time shares.

 K 38
- SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. 380, K 860
- SB 127-FN, relative to the appointment of special Medicaid representatives. 379, am 939-943, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 265)
- SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.
 - 379, am 828-829, psd 849, S nonconc, conf 1072, rep adop 1116, 1171, enr 1182 (Chapter 292)
- SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.
 - LT rej (2RCs) 145-150, am 150, psd (RC) 151-153, recon (RC) 153-155, LT & rem from table 155, K (2RCs) 156-160, recon rej 160
- SB 137, relative to cost-sharing parity for oral anti-cancer therapies.
 K 38
- SB 144, relative to carry-over coverall bingo and shared carry-over coverall bingo. am 58-60, psd 116, S conc 249, enr am 379, enr 560 (Chapter 10)
- SB 146, relative to accessory dwelling units. am 161-162, psd (RC) 162-165, 167, S conc 208, enr am 249, enr 382 (Chapter 6)

- SB 152, relative to criminal history records checks for school employees and designated school volunteers.
 - 379, SO 834, Criminal Justice and Public Safety 834-836, ref waived 852, psd 913, enr 972 (Chapter 117)
- SB 155-FN-A, establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund. am 83-87, Finance 87, am 415-418, psd 595, S nonconc, conf 925, rep adop 1116, 1171, enr
 - am 83-87, Finance 87, am 415-418, psd 595, S nonconc, conf 925, rep adop 1116, 1171, enr am 1178, enr 1182 (Chapter 293)
- SB 157-FN, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics. am 110, psd (RC) 110-113, 117, S conc 381, enr 382 (Chapter 7)
- SB 178, relative to optometrist participation in vision insurance plans. K 87
- SB 193-FN-L, establishing a committee to study the duties of the attorney general and the county attorneys.

 219, K 861
- SB 203-FN, relative to review of eligibility for workers' compensation. am 145, psd 145, 167, S nonconc, conf 925, conferee change 1105, rep adop 1116-1117, 1171, enr 1182 (Chapter 294)
- SB 210-FN, relative to regulation of septic system evaluators. 380, am & Finance (RC) 872-877, ref waived & Ways and Means 892, am & psd (RC) 1057-1060, 1067, S conc 1101, enr am 1173, enr 1178 (Chapter 266)
- SB 214-FN, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital. K 53
- SB 219-FN, relative to breastfeeding. rem 34, SO 87, LT (RC) 88-91, died on the table 1237
- SB 227, relative to calculating the cost of an adequate education. am 45-49, psd 116, S conc 381, enr 560 (Chapter 8)
- SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions. 220, psd 829, 849, enr 914 (Chapter 40)
- SB 238-FN, relative to the workers' compensation appeals board. Finance 145, psd & conflict of interest declared 758, enr am 822, enr 851 (Chapter 18)
- SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax.
 - 380, am 957-958, psd 1066, S nonconc, conf 1088, rep adop 1117, 1171, enr 1182 (Chapter 295)
- SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.
 - 220, psd 833, 849, enr 914 (Chapter 41)
- SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. am 49-51, psd 116, S conc 208, enr am 379, enr 560 (Chapter 9)

2016 SESSION SENATE BILLS

- SB 300, revising banking, credit union, and trust laws. (Commerce and Consumer Affairs) 220, am 926, psd 1065, S conc 1101, enr 1173 (Chapter 230)
- SB 301, relative to the consumption of liquor at sports complexes and relative to sales and samples provided by wine manufacturers. (Commerce and Consumer Affairs) 737, am 926-927, psd 1065, S nonconc, conf 1088, rep not filed 1237
- SB 302-FN-A, making an appropriation to the department of safety for disaster and emergency response preparedness. (Finance) 380. K 937

- SB 305, relative to the brew pub license. (Commerce and Consumer Affairs) 737, rem 925, am & psd 1062, 1067, S nonconc, conf 1088, conferee change 1105, rep rej, Clerk's note 1117
- SB 306, enabling the sampling of beer or wine at farmers' markets. (Commerce and Consumer Affairs) 737, psd 927, 1065, enr 1099 (Chapter 179)
- SB 308, relative to the definition of small loans and relative to certain fees on small loans. (Commerce and Consumer Affairs)
 820, psd 927, 1065, enr 1099 (Chapter 180)
- SB 309, relative to sulfur limits of certain liquid fuels. (Science, Technology and Energy) 380, psd 863, 914, enr 972 (Chapter 94)
- SB 310, expanding the defense and indemnification provided under RSA 99-D to certain claims filed with and investigations by professional licensing boards, committees, and regulatory agencies, and repealing the commission to study expansion of defense and indemnification rights to certain state employees. (Executive Departments and Administration) 737, am 935, psd 1065, S nonconc, conf 1088, conferee change 1105, rep adop 1117, 1171, enr 1182 (Chapter 296)
- SB 312, relative to epinephrine administration in independent schools. (Education) 380, psd 827, 849, enr am 852, enr 914 (Chapter 42)
- SB 313, relative to requirements for licensed estheticians. (Executive Departments and Administration) 380, am 829, psd 849, S conc 853, enr 916 (Chapter 53)
- SB 314, relative to the membership of the higher education commission. (Education) 380, psd 827, 849, enr 914, committee membership amended 1238 (Chapter 43)
- SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. (Executive Departments and Administration) 380, am & psd 993-998, 1066, S nonconc, conf 1088, rep adop 1118, 1171, enr 1182 (Chapter 297)
- SB 316, relative to placement decisions by a child's individualized education program team. (Education) 380, psd 827, 849, enr 914 (Chapter 44)
- SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. (Resources, Recreation and Development) 380, psd 833, 849, enr 856 (Chapter 19)
- SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. (Executive Departments and Administration) 380, am & Finance 829-830, rem 925, psd 1064-1065, 1067, S nonconc, conf 1089, rep adop 1118, 1171, enr 1182 (Chapter 298)
- SB 320, relative to non-academic surveys administered by a public school to its students. (Education) 737, am (RC) 837-841, psd 841, 849, S nonconc, conf 925, rep adop (RC) 1118-1121, 1171, enr 1182, S sustained veto 1235
- SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. (Science, Technology and Energy) 737, K 863
- SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. (Education) 380, psd 827, 849, enr 914 (Chapter 45)
- SB 323, relative to the use of force by employees of hospitals or other health care facilities. (Health, Human Services and Elderly Affairs)
 - 737, Criminal Justice and Public Safety 861, ref waived 869, psd 914, enr 972 (Chapter 118)
- SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council. (Executive Departments and Administration) 820, vac Resources, Recreation and Development 825, am 1050-1051, LT rej & psd (RC) 1051-1053, 1067, S nonconc, conf 1089, conferee change 1105, rep adop (RC) 1121-1123, 1171, enr am 1178, enr 1182, S sustained veto 1235

- SB 325, relative to vaccines administered by pharmacists. (Health, Human Services and Elderly Affairs) 737, study 1036
- SB 326, relative to the membership of the community college system of New Hampshire board of trustees. (Education)
 - 820, am 859-860, psd 913, S nonconc, conf 1072, rep adop 1123-1124, 1171, enr am 1178, enr 1182 (Chapter 299)
- SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. (Education) 380, psd 827, 849, enr 914 (Chapter 46)
- SB 329, revising the nurse licensure compact. (Executive Departments and Administration) 737, am 935, psd 1065, S conc 1101, enr 1173 (Chapter 238)
- SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. (Executive Departments and Administration)
 - 737, psd (RC) 841-843, 849, conflicts of interest declared 843, enr am 854, enr 916 (Chapter 54)
- SB 331, relative to fulfilling the requirement for a notarized signature electronically. (Judiciary) 380, K 1039-1040
- SB 332-FN, relative to state procurement of goods and services. (Executive Departments and Administration) 380, psd 830, 849, enr am 852, enr 916 (Chapter 55)
- SB 333, relative to net energy metering. (Science, Technology and Energy) 380, K 956
- SB 334, establishing a commission to study the planning functions of the office of energy and planning. (Science, Technology and Energy) 737, K 902
- SB 336, relative to the qualifications for obtaining a license to carry a concealed pistol or revolver. (Criminal Justice and Public Safety)
 - 820, am & psd (2RCs) 972-978, 1066, S conc 1101, enr am 1172, enr 1177, S sustained veto 1235
- SB 337, establishing a committee to study the immunity of court-appointed special advocates. (Judiciary) 820, K 949
- SB 339-FN, relative to required DNA analysis for certain offenses. (Criminal Justice and Public Safety) 737, rcmt 836-837, am & psd 978, 1066, S conc 1101, enr 1173 (Chapter 239)
- SB 341, establishing a committee to study guardianship in New Hampshire. (Judiciary) 820, am 861-862, psd 913, S conc 1070, enr 1103 (Chapter 152)
- SB 342-FN, relative to the sale or exchange of an interest in a business organization under the business profits tax. (Ways and Means) 820, am 958-959, psd 1066, S nonconc, conf 1089, rep adop 1124, 1171, enr 1182 (Chapter 300)
- SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax. (Ways and Means)
 - 220, am 864, psd 914, S conc 917, enr 1068 (Chapter 153)
- SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. (Ways and Means) 737, psd 864, 914, enr 972 (Chapter 119)
- SB 345, relative to the definition of agritourism. (Environment and Agriculture) 820, am 860, psd 913, S conc 1070, enr am 1104, enr 1177 (Chapter 267)
- SB 347, enabling the state and municipalities to adopt laws and ordinances regulating attire on state and municipal property. (Municipal and County Government) 820, K 951
- SB 348, allowing municipalities to adopt a property tax credit for certain disabled veterans. (Municipal and County Government) 820, K 951

- SB 352, naming a cove in Lake Winnipesaukee as Ritson Cove. (Resources, Recreation and Development)
 - 380, psd 862, 913, enr 972 (Chapter 95)
- SB 353, relative to names on ballots. (Election Law) 737, psd 913, enr 972 (Chapter 96)
- SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations. (Transportation) 380, psd 904, 914, enr 972 (Chapter 97)
- SB 357, relative to driver's license examinations. (Transportation) 380, psd 863, 914, enr 972 (Chapter 98)
- SB 358, relative to use of navigation devices in motor vehicles. (Transportation) 737, am & psd 904, 914, S conc 917, enr 1068 (Chapter 154)
- SB 359, relative to funding electric vehicle charging stations with municipal registration permits. (Transportation) 220, psd 863, 914, enr 972 (Chapter 99)
- SB 361, banning the sale and possession of synthetic urine and urine additives. (Health, Human Services and Elderly Affairs)
 - 380, am 943-944, psd 1066, S conc 1101, enr 1173 (Chapter 240)
- SB 362, requiring notice to planning boards of placement of signs on scenic byways. (Transportation) 820, psd 863, 914, enr 972 (Chapter 120)
- SB 363, relative to OHRVs and snowmobiles held by a trust. (Resources, Recreation and Development) 737, am 955, psd 1066, S conc 1101, enr 1173 (Chapter 241)
- SB 364, establishing a committee to study, in conjunction with municipalities and the department of transportation, the feasibility of a complete streets program. (Public Works and Highways) 220, am & psd 1049-1050, 1067, S conc 1101, enr 1173 (Chapter 242)
- SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. (Public Works and Highways)
 - 737, Finance (RC) 883-886, psd 1003, 1066, enr 1103 (Chapter 155)
- SB 369-FN, requiring public schools to include drug and alcohol education as part of their health education curriculum. (Education)
 - 168, am & psd (RC) 177-180, S nonconc, conf 209, rep adop 1124-1125, 1171, enr am 1178, enr 1182 (Chapter 301)
- SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Education) 737, psd 827, 849, enr am 852, enr 914 (Chapter 47)
- SB 371, relative to school lunch meal payment policies. (Education) 380, psd 828, 849, enr 914 (Chapter 48)
- SB 373, relative to the information technology infrastructure in public schools. (Education) 380, K 828
- SB 374, requiring the department of environmental services to update coastal flooding trends. (Resources, Recreation and Development) 820, psd 862,914, enr 972 (Chapter 121)
- SB 375, establishing the coastal marine natural resources and environment commission. (Resources, Recreation and Development)
 - 380, am 862, psd 914, S conc 917, enr am 918, enr 1103 (Chapter 156)
- SB 376-FN, relative to wildlife corridors. (Fish and Game and Marine Resources) 820, psd 1035-1036, 1067, enr am 1103, enr 1171 (Chapter 243)
- SB 377, relative to emission levels of municipal waste combustion units. (Science, Technology and Energy)
 - 380, psd 863, 914, enr 972 (Chapter 100)
- SB 378, relative to the availability of net metering tariffs. (Science, Technology and Energy) 380, am 833-834, psd 849, S conc & enr am 915, enr 916 (Chapter 33)

- SB 379, relative to additional tests to determine alcohol concentration. (Criminal Justice and Public Safety) 820, am 932-934, psd 1065, S conc 1101, enr 1173 (Chapter 244)
- SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Resources, Recreation and Development)
 - 380, SO 466, am 466, psd 466, 467, debate printed 466-467, S conc 739, enr am 819, enr 822 (Chapter 11)
- SB 381, relative to the combustion of the wood component of construction and demolition debris. (Science, Technology and Energy)
 - 820, psd & LT rej 1053-1055, 1067, enr 1099, S sustained veto 1235
- SB 383, establishing a commission to study and recommend improvements to the New Hampshire hiking trails network. (Resources, Recreation and Development) 737, am 955-956, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 268)
- SB 384, relative to the feeding of wild deer. (Fish and Game and Marine Resources) 737, am 939, psd 1066, S nonconc, conf 1089, rep adop 1125, 1171, enr 1182 (Chapter 302)
- SB 386, adding biodiesel to electric renewable energy sources. (Science, Technology and Energy) 738, psd 903, 914, enr am 916, enr 972 (Chapter 122)
- **SB** 387, relative to the disposition of ward accounts. (Judiciary) 820, am & psd 1040, 1067, S conc 1101, enr 1173 (Chapter 245)
- SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan. (Executive Departments and Administration) 738, psd 902, 914, enr 972 (Chapter 123)
- SB 389-FN, relative to the penalty for possession of multiple firearms. (Criminal Justice and Public Safety) 738, K 837
- SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. (Executive Departments and Administration) 220, psd 830-831, 849, enr 914 (Chapter 49)
- SB 391, relative to annulment of certain misdemeanor offenses. (Criminal Justice and Public Safety) 820, am 934, psd 1065, S nonconc, conf 1089, conferee change 1105, rep adop (RC) 1125-1128, 1171, enr am 1182, enr 1192 (Chapter 325)
- SB 392, relative to the special training licenses issued by the board of podiatry. (Executive Departments and Administration) 380, psd 844, 849, enr 914 (Chapter 50)
- SB 394, relative to criminal history record checks of nursing home administrators. (Criminal Justice and Public Safety)
 - 820, psd 934, 1065, enr 1099 (Chapter 181)
- SB 396, relative to compatibility of electrical devices with the National Electric Code and the state building code. (Executive Departments and Administration) 380, K 999
- SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. (Executive Departments and Administration) 380, psd 831, 849, enr 914, membership amended 1238 (Chapter 51)
- SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. (Executive Departments and Administration) 381, psd 831, 849, enr 914 (Chapter 52)
- SB 400, relative to executive branch ethics. (Executive Departments and Administration) 738, am 831-832, psd 849, S conc 853, enr 916 (Chapter 57)
- SB 401-FN, relative to insurance coverage for prescription eye drops. (Commerce and Consumer Affairs)820, psd 927, 1065, enr am 1182, enr 1192 (Chapter 326)

- SB 402, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file. (Judiciary)
 - 820, am 949-950, psd 1066, S nonconc, conf 1089, conferee change 1105, rep not filed 1237
- SB 403, relative to the sale of gift certificates with expiration dates. (Commerce and Consumer Affairs)
 - 738, rem 925, psd 1062-1063, 1067, enr 1099, S sustained veto 1235
- SB 404, relative to the burden of proof for a divorced parent's petition to relocate children of the marriage. (Children and Family Law) 820, K 925
- SB 405, making changes to the limited liability companies statutes. (Commerce and Consumer Affairs)220, am 927-931, psd 1065, S conc 1101, enr 1173 (Chapter 246)
- SB 406-FN, relative to classification of certain state employee positions and relative to the liquor commission. (Executive Departments and Administration)
 738, Finance 832, am & psd 1003-1004, 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 263)
- SB 409-FN, relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries for purposes of workers' compensation permanent impairment awards. (Labor, Industrial and Rehabilitative Services)

 220, am & Finance 881-882, psd 937, 1065, S nonconc, conf 1089, conferee change 1105, rep
 - 220, am & Finance 881-882, psd 937, 1065, S nonconc, conf 1089, conferee change 1105, rep adop 1128-1129, 1171, enr am 1178, enr 1182 (Chapter 305)
- SB 411, relative to the merger of lots that are mortgaged and the restoration of involuntarily merged lots. (Commerce and Consumer Affairs)
 220, am 966-967, psd 967, 1066, S nonconc, conf 1089, rep adop 1129, 1171, enr am 1178, enr 1192 (Chapter 327)
- SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. (Environment and Agriculture) 820, K 860
- SB 416, relative to flexible working arrangements in employment. (Labor, Industrial and Rehabilitative Services) 820, psd 1043-1044, 1067, enr 1099 (Chapter 182)
- SB 417, relative to employment contract restrictions upon physicians. (Health, Human Services and Elderly Affairs)
 - 820, Commerce and Consumer Affairs 861, psd 931, 1065, enr 1103 (Chapter 194)
- SB 418, adding National Guard members to the absentee voting laws and relative to enrollment of laws. (Election Law)
 - 738, rem 856, am & Legislative Administration 906, am 951, psd 1066, S conc 1101, enr 1103 (Chapter 183)
- SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)
 - 738, am 944-946, psd 1066, S conc 1101, enr 1173 (Chapter 247)
- SB 420-FN, relative to aid to the permanently and totally disabled. (Health, Human Services and Elderly Affairs)
 - 738, Finance 861, psd 937, 1065, enr 1099 (Chapter 184)
- SB 421, relative to liability of governmental units. (Executive Departments and Administration) 820, study 999
- SB 423, relating to the right of 17-year olds to register to vote. (Election Law) 821, psd 993, 1066, enr 1099 (Chapter 185)
- SB 424-FN, relative to applicants for licensure as alcohol and drug use counselors from other states, and relative to the fee for licensure as a master licensed alcohol and drug counselor. (Executive Departments and Administration)
 - 738, am 936-937, psd 1065, S conc 1101, enr 1173 (Chapter 248)

- SB 426, establishing an end-of-life choices study commission. (Judiciary) 381, am 1040-1041, K (RC) 1041-1043
- SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. (Health, Human Services and Elderly Affairs) 381, psd 861, 913, enr 917 (Chapter 101)
- SB 429, changing statutory references from the "Workforce Investment Act" to the "Workforce Innovation and Opportunity Act" and relative to the provision of aggregate statistical reports to certain workforce training programs. (Labor, Industrial and Rehabilitative Services) 220, am, LT rej & psd 1044-1045, 1067, recon rej 1045, S conc 1101, enr 1173 (Chapter 249)
- SB 430, establishing a commission to study long-term peer-to-peer recovery services in New Hampshire. (Health, Human Services and Elderly Affairs) 821, K 946
- SB 431, relative to data submission by insurers. (Commerce and Consumer Affairs) 821, am 931-932, psd 1065, S conc 1101, enr 1173 (Chapter 250)
- SB 432, relative to itemized bills for medical services. (Commerce and Consumer Affairs) 821, study 932
- SB 433, relative to exclusions from seasonal highway weight limit regulation. (Transportation) 738, psd 904, 914, enr 972 (Chapter 124)
- SB 436, relative to after market automobile parts. (Transportation) 738, psd 956-957, 1066, enr 1099 (Chapter 186)
- SB 437, establishing a commission to address child hunger in New Hampshire. (Children and Family Law)
 - 381, am 925, psd 1065, S conc 1101, enr am 1172, enr 1177 (Chapter 269)
- SB 438, relative to the aesthetic maintenance of highways. (Public Works and Highways) 220, am 952, psd 1066, S conc 1101, enr 1173 (Chapter 251)
- SB 439, establishing a commission to study the shortage of nurses and other skilled health care workers for home health care services and post-acute care services. (Health, Human Services and Elderly Affairs)
 - 821, psd 946, 1066, enr am 1103, enr 1171 (Chapter 252)
- SB 440-FN, extending the date of the repeal of certain fees in the shoreland protection act. (Ways and Means)
 - 381, am 959, psd 1066, S conc 1101, enr 1173 (Chapter 253)
- SB 441-FN, relative to discounts and admission without charge at state parks. (Resources, Recreation and Development)

 738 rem 827 Ways and Magne (PC) 846 840 cm % red 1061 1067 S paragraph and 1080
 - 738, rem 827, Ways and Means (RC) 846-849, am & psd 1061, 1067, S nonconc, conf 1089, rep rej (RC) 1130-1133
- SB 442-L, establishing a commission to study the taxability of lease interests in public property. (Ways and Means)
 - 738, am 864, psd 914, S conc 917, enr 1068 (Chapter 157)
- SB 444-FN, relative to lottery retailer incentive awards. (Ways and Means) 381, Finance 895, am 937-938, psd 1066, S conc 1101, enr 1173 (Chapter 231)
- SB 446, relative to requirements of the state building code. (Executive Departments and Administration) 738, psd 844, 849, enr 914, S sustained veto 1235
- SB 447-FN, establishing a commission to study Narcan. (Criminal Justice and Public Safety) 168, psd 170-171, 180, enr 208 (Chapter 1)
- SB 449, relative to weekly payment of workers' compensation benefits. (Labor, Industrial and Rehabilitative Services)
 - 738, am 950-951, psd 1066, S nonconc 1102
- SB 450, relative to investments by insurance companies. (Commerce and Consumer Affairs) 738, psd 856, 913, enr am 1103, enr 1171 (Chapter 254)

- SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. (Executive Departments and Administration) 821, psd 999, 1066, enr 1099 (Chapter 195)
- SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Education) 381, Criminal Justice and Public Safety 828, ref waived 852, psd 913, enr am 918, enr 1068 (Chapter 158)
- SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. (Election Law)
 821, psd 860, 913, enr 972 (Chapter 102)
- SB 458-FN, relative to reporting by political committees and relative to agreements to share voter information with other states. (Election Law)
 - 738, rem 925, am & psd 1063-1064, 1067, S conc 1101, enr am 1172, enr 1178 (Chapter 270)
- SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children. (Education)
 - 381, rem 827, am 845-846, psd 846, 849, S conc 853, enr 916 (Chapter 56)
- SB 461-FN, relative to expenditures of the Winnipesaukee River Basin control program funds.(Resources, Recreation and Development)738, psd 863, 914, enr 972 (Chapter 125)
- SB 464-FN-A, establishing a statewide drug offender grant program, establishing drug courts or alternative drug offender programs in certain counties, making appropriations therefor, and transferring certain revenues to the revenue stabilization reserve account. (Ways and Means) 381, Finance 836, am & psd 1004-1008, 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 264)
- SB 465-FN, relative to the nonconsensual dissemination of private sexual images. (Criminal Justice and Public Safety)
 - 738, rem 856, psd 905, 914, enr 972 (Chapter 126)
- SB 466-FN, relative to the detention of youthful offenders at the youth development center. (Children and Family Law)
 821, rem 856, am & Finance 904-905, am & psd (RC) 1009-1016, 1066, S nonconc, conf 1090, rep adop 1133-1134, 1171, enr am 1178, enr 1182 (Chapter 303)
- SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. (Executive Departments and Administration) 738, am 832-833, psd 849, S conc 1070, enr am 1100, enr 1103 (Chapter 196)
- SB 468-FN, relative to changes to the sex offender registry. (Criminal Justice and Public Safety) 738, am 857-858, psd 913, S conc 1070, enr 1099 (Chapter 197)
- SB 471-FN, relative to parking for persons with disabilities. (Transportation) 738, am & psd 1057, 1067, S nonconc, conf 1090, conferee change 1105, rep adop 1134, 1171, enr 1182 (Chapter 304)
- SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. (Criminal Justice and Public Safety) 821, psd 859, 913, enr 972 (Chapter 103)
- SB 477-FN, relative to nonemergency involuntary admissions. (Health, Human Services and Elderly Affairs)
 - 738, psd 946, 1066, enr 1099 (Chapter 187)
- SB 478-FN, permitting the online renewal of a nondriver's picture identification card. (Transportation) 738, psd 1057, 1067, enr 1099 (Chapter 188)
- SB 480-FN-A, relative to the historical fund. (Legislative Administration) 381, am & Finance 882-883, ref waived 914, psd 1065, S conc 1101, enr 1173 (Chapter 255)
- SB 481-FN, relative to a special health care service license and making an appropriation therefor. (Health, Human Services and Elderly Affairs)
 821, rem 856, am, LT rej & Finance (2RCs) 907-912, am & psd (RC) 1016-1019, 1066, S conc 1070, enr am 1103, enr 1103 (Chapter 198)

- SB 482-FN-L, establishing a committee to study the effect of short-term rentals on municipalities. (Municipal and County Government)
 - 821, am & psd 1048-1049, 1067, S conc 1101, enr am 1172, enr 1178 (Chapter 271)
- SB 483-FN, establishing the position of chartered public school program officer in the department of education. (Education)
 - 738, am & psd 985-986, 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 272)
- SB 484, relative to the role of the Winnipesaukee River advisory board. (Resources, Recreation and Development)
 - 738, psd 863, 914, enr 972 (Chapter 104)
- SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor, relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services. (Finance)
 - 381, am 1019-1023, divide rej 1023-1024, psd 1024, 1067, S nonconc, conf 1090, conferee change 1105, recon rej 1134-1135, recon rej (RC) 1135-1137
- SB 487, relative to missing vulnerable adults. (Health, Human Services and Elderly Affairs) 738, am 946-947, psd 1066, S conc 1101, enr 1173 (Chapter 256)
- SB 488-FN-L, establishing an advisory council on lactation. (Commerce and Consumer Affairs) 821, am & Judiciary 856-857, ref waived 865, psd 914, S conc 1070, enr am 1103, enr 1171 (Chapter 232)
- SB 489, authorizing a demonstration project using a Stirling engine system. (Science, Technology and Energy)
 - 738, am & Executive Departments and Administration 903-904, psd 937, 1065, S conc 1101, enr 1103 (Chapter 199)
- SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. (Health, Human Services and Elderly Affairs)
 821, rem 856, Finance 912, am 938, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 273)
- SB 492-FN, relative to expenditures from the energy efficiency fund. (Science, Technology and Energy) 821, LT (RC) 889-892, conflict of interest declared 892, died on the table 1237
- SB 494-FN-A, limiting an exemption from the road toll. (Ways and Means) 821, psd 959, 1066, enr 1099 (Chapter 189)
- SB 495-FN-A, relative to the definition of a cigar bar. (Finance) 821, am & psd 1024-1026, 1067, S nonconc, conf 1090, rep adop 1138, 1171, enr am 1178, enr 1182, S sustained veto 1235
- SB 496-FN, relative to personal care attendant services. (Health, Human Services and Elderly Affairs) 821, rem 856, am & Finance 912-913, am 938, psd 1066, S nonconc, conf 1090, conferee change 1105, rep adop 1138, 1171, enr 1182 (Chapter 306)
- SB 498-FN, relative to penalties for possession of certain controlled drugs. (Criminal Justice and Public Safety)
 - 738, rem 827, rcmt 845, am 979-982, psd (RC) 982-984, 1066, S nonconc, conf 1090, rep adop 1138-1139, 1171, enr 1182 (Chapter 307)
- SB 500-FN, relative to student health insurance plans. (Commerce and Consumer Affairs) 738, Finance (RC) 869-871, psd 938-939, 1066, enr am 1103, enr 1171 (Chapter 257)
- SB 501-FN, prohibiting the possession of powdered or crystalline alcohol. (Commerce and Consumer Affairs) 738, K 932
- SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. (Education) 821, K 871-872
- SB 506, relative to adoption. (Judiciary) 821, vac Children and Family Law 825, am 960, K (RC) 960-963

- SB 509-FN, relative to voter registration forms and relative to voter identity verification. (Election Law) 821, am & psd (2RCs) 895-900, 914, debate printed 901, S conc 1070, enr 1099 (Chapter 190)
- SB 510-FN, relative to parking at state park parking meters. (Transportation) 821, Ways and Means (RC) 892-895, psd 959, 1066, enr 1099 (Chapter 191)
- SB 512, relative to health care associated infections. (Health, Human Services and Elderly Affairs) 738, psd 947, 1066, enr 1099 (Chapter 192)
- SB 515-FN, relative to the child protection act. (Children and Family Law)
 821, am & Finance (RC) 865-868, am & psd 1027, 1067, S conc 1101, enr am 1172, enr 1182
 (Chapter 308)
- SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. (Criminal Justice and Public Safety) 738, psd 859, 913, enr 972 (Chapter 105)
- **SB 519**, relative to highway signs. (Transportation) 821, psd 863, 914, enr 972 (Chapter 106)
- SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems. (Resources, Recreation and Development)
 821, Ways and Means (RC) 886-889, psd 960, 1066, S conc 1101, enr 1173 (Chapter 233)
- SB 522-FN-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program and relative to the forfeiture of property. (Finance)
 - 381, am & psd 1027-1029, 1067, S nonconc, conf 1090, rep adop 1139-1141, 1171, enr am 1178, enr 1192 (Chapter 329)
- SB 523-FN, relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation. (Health, Human Services and Elderly Affairs) 739, am & psd 1036-1037, 1067, S nonconc, conf 1090-1091, conferee change 1105, rep adop (RC) 1141-1144, 1171, enr am 1178, enr 1182 (Chapter 309)
- SB 524, relative to state procurement card rebates. (Executive Departments and Administration) 739, psd 861, 913, enr 972 (Chapter 127)
- SB 527-FN-A, transferring funds from the general fund to the police standards and training council training fund, making an appropriation to the police standards and training council, making an appropriation to the department of safety for the purchase of state police cruisers, and permitting employers to pay wages to employees weekly or biweekly. (Finance) 821, am & psd 1029-1031, 1067, S nonconc, conf 1091, rep not filed 1237
- SB 530-FN, establishing a commission to study volunteer health care services. (Health, Human Services and Elderly Affairs)
 739, am 947-948, psd 1066, S conc 1101, enr am 1172, enr 1178 (Chapter 274)
- SB 532-FN, relative to prior authorization for substance use treatment. (Commerce and Consumer Affairs) 821, am (RC) 967-972, psd 972,1066, S conc 1101, enr am 1172, enr 1178 (Chapter 275)
- SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the New Hampshire housing finance authority, and the department of health and human services, bureau of drug and alcohol services. (Health, Human Services and Elderly Affairs) 821, am & Finance (RC) 878-881, am & psd (RC) 1031-1035, 1067, S nonconc, conf 1091, rep adop 1144-1145, 1171, enr am 1182, enr 1192, committee membership, duties and reports amended 1238 (Chapter 330)
- SB 534-FN, to implement a system of care for children's behavioral health. (Health, Human Services and Elderly Affairs)
 739, psd (RC) 1037-1039, 1067, enr 1099 (Chapter 203)
- SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. (Health, Human Services and Elderly Affairs) 821, rem 856, K 913

- SB 536, relative to emergency interim relief under the child protection act. (Children and Family Law) 739, rem 925, psd 1062, 1067, enr 1099 (Chapter 200)
- SB 537, relative to record management of abuse and neglect reports. (Children and Family Law) 739, K (RC) 963-966
- SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. (Children and Family Law) 739, rem 925, psd 1062, 1067, enr 1099 (Chapter 201)
- SB 539, relative to access to records under the child protection act. (Criminal Justice and Public Safety) 821, vac Children and Family Law 826, psd 926, 1065, enr 1103 (Chapter 202)
- SB 540-FN, relative to the possession, use, or sale of kratom by any person under 18 years of age. (Criminal Justice and Public Safety)
 821. LT 984, died on the table 1238
- SB 541, establishing a commission to study provider rates. (Health, Human Services and Elderly Affairs) 821, K 948
- SB 543-FN, relative to private transferring of adopted children. (Children and Family Law) 739, Judiciary 856, ref waived 865, psd 914, enr am 918, enr 1068 (Chapter 159)
- SB 544, establishing a committee to study funding options for the Internet crimes against children task force. (Criminal Justice and Public Safety)821, psd 934-935, 1065, enr 1103 (Chapter 160)
- SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month. (Executive Departments and Administration) 739, am 844-845, psd 845, 849, S conc 915, enr 972 (Chapter 128)
- SB 546-FN, relative to petitions for verification of checklists. (Election Law) 821. K 901-902
- SB 547, establishing a commission to study if current force protection measures provide adequate safeguards for New Hampshire national guard personnel, facilities, and equipment. (State-Federal Relations and Veterans Affairs) 821, K 1055
- SB 549-FN, relative to public-private partnerships for transportation infrastructure projects and establishing the public-private infrastructure oversight commission. (Public Works and Highways) 739, am 952-955, psd 1066, S conc 1101, enr am 1172, enr 1177 (Chapter 276)
- SB 550-FN, relative to the maximum gross weight for dump trailers. (Transportation) 739, psd 1057, 1067, enr 1099 (Chapter 193)
- SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means) 822, study 864-865
- SB 553, relative to implementation of the Medicaid managed care program. (Health, Human Services and Elderly Affairs)
 822, am 948-949, psd 1066, S conc 1101, enr 1103 (Chapter 204)
- SB 576-FN-A, relative to the penalty for possession and use of fentanyl-class drugs, insurance coverage for substance use disorders, the funding of the controlled drug prescription health and safety program, the membership of the board of medicine, and prescribers of controlled drugs. (Criminal Justice and Public Safety)

168, psd (2RCs) 171-176, 180, enr am 207, enr 208 (Chapter 2)

2016 SESSION

SENATE CONCURRENT RESOLUTIONS

- SCR 3, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the first amendment to the federal Constitution. (State-Federal Relations and Veterans Affairs)
 - 822, LT 1055-1056, rem (RC) 1081-1083, LT (RC) 1083-1085, died on the table 1238

SCR 4, applying for an Article V convention to propose an amendment to the Constitution of the United States that imposes fiscal restraints on the federal government. (State-Federal Relations and Veterans Affairs)

822, LT 1056-1057, rem (RC) 1086-1088, died on the table 1238

2016 SESSION

2015 CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS RETAINED IN HOUSE COMMITTEE

- CACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. rem 34, SO 180, K (RC) 192-195
- CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

LT 140-141, died on the table 1238

2016 SESSION

CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

- CACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. (Brewster, Merr. 21; Judiciary) 27. LT 546-547, died on the table 1238
- CACR 14, relating to government of right. Providing that the people of New Hampshire have the right of local community self government. (Emerson, Ches. 11; et al: Legislative Administration) 27, K 436
- CACR 15, relating to the election of judges. Providing that judges be elected for specific terms. (Brewster, Merr. 21; Judiciary) 28, SO 219, K (RC) 235-237
- CACR 16, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock. 10; et al: Children and Family Law) 28, LT (RC) 681-684, died on the table 1238
- CACR 17, relating to domicile for the purpose of voting. Providing that only a resident of the state may establish a domicile for the purpose of voting. (Bates, Rock. 7; et al: Election Law) 28, LT (RC) 463-465, died on the table 1238
- CACR 18, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year. (Gannon, Rock. 4; et al: Legislative Administration) 28. K 436
- CACR 19, relating to the taking of human life. Providing that the general court shall not appropriate nor authorize any expenditure to benefit any corporation having as its object the taking of innocent human life. (Hoell, Merr. 23; et al: Legislative Administration) 28, K 436
- CACR 20, relating to the veto of bills. Providing that a three-fifths vote of both houses of the general court be required to override a veto. (Hoell, Merr. 23; et al: Legislative Administration) 28, K 437
- CACR 21, relating to the attorney general. Providing that the attorney general be chosen by ballot of the general court. (Sylvia, Belk. 6; et al: Executive Departments and Administration) 28. am 483-484. LT (RC) 484-487, died on the table 1238
- CACR 22, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental. (Kurk, Hills. 2; et al: Judiciary) 28, am 547, K (RC) 547-550
- CACR 23, relating to the warning of biennial meetings. Providing that the selectmen are not required to be present to receive the votes. (Hunt, Ches. 11; et al: Election Law)28, LT (RC) 468-470, died on the table 1238

- CACR 24, relating to the right to travel. Providing that all people have the right to travel within the state in their choice of privately owned conveyance. (Goulette, Hills. 23; et al: Transportation) 28, K 455
- CACR 25, relating to legislation. Providing that bills dealing with assessments, rates, and taxes shall originate in the house of representatives. (Itse, Rock. 10; et al: Legislative Administration) 28, K 437
- CACR 26 not introduced.
- CACR 27, relating to the operating budget. Providing that the state shall not spend more on operating budget expenses than it receives in revenue plus any surplus from the previous budget period, or use the proceeds of any instrument of indebtedness to fund its operating expenditures. (Finance) 822, am & LT (RC) 999-1003, died on the table 1238

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